Thursday,
6th September, 1956

LOK SABHA DEBATES

VOLUME VI, 1956

(13th August to 8th September, 1956)

THIRTEENTH SESSION, 1956

LOK SABHA SECRETARIAT
NEW DELHI

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LOK SABHA

Thursday, 6th September, 1956

The Lok Sabha met at Ten of the Clock.

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

Contaminated Water Supply in Delhi

*1815. **Shri Bansal†:**
Sardar Iqbal Singh:
Sardar Akarpuri:
Dr. Rama Rao;
Shri Kajrolkar:

Will the Minister of **Health** be pleased to state:

(a) whether some localities of Delhi and New Delhi are receiving water supply which is contaminated; and

(b) the names of those localities.

The Deputy Minister of Health (Shrimati Chandrasekhar): (a) There is no contamination where the water supply is filtered. Elsewhere boiling is advisable for drinking purposes.

(b) A statement is laid on the table of the Lok Sabha [*See* Appendix XI annexure No. 44].

Shri Bansal: If there is no contamination any where, then why is boiling of water being suggested ?

Shrimati Chandrasekhar: It is not said that contamination is not present anywhere. Contamination is not present wherever filtered water supply is given.

Shri Bansal: Which are the localities where filtered water supply is not given ?

Shrimati Chandrasekhar: The places where filtered water supply is not given are mentioned in the statement given to the member, and laid on the Table of the Lok Sabha.

Shri Bansal: Has it been brought to the notice of the hon. Minister that there was contamination of water supply due to some leakage in a particular pipe ? If so, was that pipe supplying filtered water or unfiltered water ?

Shrimati Chandrasekhar: It was in filtered water supply to villages Basti Brahman, Janespurah, Moth Ki Masjid and Village Kotla. As soon as it was found out it was rectified and the next day there was improvement.

Dr. Rama Rao: The Jaundice Inquiry Committee Report has stated that South Delhi gets water chronically polluted with sewage. Has it been remedied ? Secondly, Model Town is in the list of those places which get polluted water. How is it that a model town gets water which is not pure ?

Shrimati Chandrasekhar: There was nothing wrong with the main reservoir. There was some leakage in the distribution pipe. That was set right.

Dr. Rama Rao: I am not referring to the leakage. The Jaundice Inquiry Committee Report has stated that South Delhi is always getting polluted water.

The Minister of Health (Rajkumari Amrit Kaur): The *Ad hoc* Committee, which was appointed for devising measures to ensure an adequate water supply for Delhi, considered not only schemes for augmenting water supply but also for preventing contamination. Several steps have been taken which are too long for me to detail here. But I may assure the hon. Member that the danger of contamination is greately lessened and it will, I trust, shortly be completely eliminated.

Dr. Ram Subhag Singh: May I know names of the areas where boiling of water has been advised ?

Rajkumari Amrit Kaur: You will see from the statement laid on the Table that only those areas where people have to depend on wells, tube-wells or hand pumps have been advised, especially during the rainy season, to boil their water.

Shri Bansal: May I know if it was brought to the notice of the Health Minister that in Delhi and New Delhi recently a disease was prevalent among children causing very high temperature for weeks and months, and if it had anything to do with the contaminated supply of water ?

Rajkumari Amrit Kaur: It had nothing to do with the water supply.

Co-operative Banks

*1816. **Shri Shree Narayan Das** : Will the Minister of **Food and Agriculture** be pleased to state :

(a) whether the existing State Co-operative Banks have been reorganised on the lines suggested by the Committee of Direction in its report on the All India Credit Survey ;

(b) the names of such State Co-operative Banks which have not conformed to these suggestions ; and

(c) the extent to which the State Co-operative Banks have been able to follow the suggestions made in the recommendation No. 66 of the All India Rural Credit Survey Report ?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) Some of the State Co-operative Banks have been so reorganised. I might also give the names : Andhra, Bombay, Madhya Pradesh, Hyderabad, Madhya Bharat, Mysore, PEPSU, Bhopal, Coorg and Manipur.

(b) The State Co-operative Banks of Assam, Bihar, Madras, Orissa, Punjab, Uttar Pradesh, West Bengal, Rajasthan, Saurashtra, Travancore-Cochin, Ajmer Delhi, Himachal Pradesh, Vindhya Pradesh and Jammu and Kashmir have taken some steps towards this reorganisation, but have not completed them.

(c) Most of the State Co-operative Banks have nominees of the State Government on the board of directors as contemplated in the recommendation.

Shri Shree Narayan Das : May I know whether the Central Government have taken steps to ascertain from all those banks which have not so far conformed to the recommendations of the Committee of Direction as to what are the reasons for their delaying implementation thereof ?

The Minister of Food and Agriculture (Shri A. P. Jain): The recommendations have been finalised only recently. It will take a little more time for the States to implement them.

Shri Shree Narayan Das : May I know whether the organisation at the Centre has been fully manned to see that all these recommendations of the Committee are implemented by the various State Governments ?

Shri A. P. Jain : At the Centre it is being organised. The hon. Member must have seen that the Central Co-operative Development and Warehousing Board has been set up. Now staff is being selected for that Board. It is not easy to get good personnels. We are trying to get as many good men as possible. We are making every effort to set up the organisation at the Centre. But I might make it clear that it has not been fully organised so far.

Dr. Jaisoorya : May I know when these recommendations have come into effect, and whether by this measure private banks have reduced on a large scale the credit they have been giving ?

Shri A. P. Jain : Since the publication of the Report of the Rural Credit Survey Committee, we have been taking some action to implement it. After the Agricultural Produce Bill had been passed, we have now got the legal power to give increased tempo to the implementation of those recommendations. I do not know what the private banks are doing.

Shri Achuthan : The hon. Minister stated in reply to (b) that certain directions have been taken into consideration by some banks. May I know if they have given prior consideration to the need for reducing the rate of interest on loans issued to co-operative societies and agriculturists ?

Shri A. P. Jain : Yes, some of the co-operative banks have reduced their rate of interest to 6¼ per cent.

Recommendations of the Estimates Committee on Railways

*1817. **Shri Dabhi†:**
Shri K. C. Sodhia:

Will the Minister of **Railways** be pleased to state:

(a) whether Government have since considered the various recommendations contained in the Thirty-third Report of the Estimates Committee; and

(b) if so, the action taken to implement the following recommendations;

(i) expediting the process of conversion of Narrow Gauge line into Metre Gauge or Broad Gauge, as the case may be;

(ii) improving the types of level crossings, according to the flow of traffic;

(iii) expediting decisions and action on the recommendations of the various committees appointed by the Railway Ministry from time to time to investigate specific problems; and

(iv) maintaining co-ordination between Research Organisation of Indian Railways and National Laboratories ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) Action has been initiated on all the recommendations but finalised only in the case of 5 items.

(b) (i) The matter is under consideration.

(ii) Railway Administrations have already been asked to widen to 18' on a programmed basis all the 'B' and 'C' class manned level crossing gates which are now less than that width.

(iii) The Committee's observations have been noted for future guidance.

(iv) The relevant recommendation of the Committee is under consideration.

Shri Dabhi: May I know what Government have to say regarding the Estimates Committee's observation that the narrow gauge railway lines are daily losing concerns, except the NG on the Central Railway, and it is necessary that the process of conversion into MG or BG as the case may be, should be expedited? Have Government any phased programme for this purpose?

Shri Shahnawaz Khan: The policy of Government regarding narrow gauge lines is well known to this hon. House. These lines have been divided into three categories:

(a) Lines catering mostly for goods traffic. This category of narrow gauge lines is generally paying its way.

(b) Lines which are primarily for passenger traffic. These are, more or less, losing concerns, and when replacements become due, it will be considered whether to replace them or to abandon them.

(c) Lines in hilly country. It is not proposed to touch these. These are functioning quite well. In some sections, it is proposed to dieselise these lines.

Shri Dabhi: Is there a phased programme for the conversion?

The Minister of Railways and Transport (Shri Lal Bahadur Shastri): We had drawn up a phased programme, but we had to give it up in view of the curtailment made in our allotment.

Shri K. C. Sodhia : With reference to the answer to (b), what are the main committees appointed by the Railway Administration during the last two years?

Shri Shahnawaz Khan: There is a large number of committees which had been appointed by the Railways. If the hon. Member puts a separate question, I shall give him the list.

Shri T. B. Vittal Rao: It was stated a few months ago, during the Budget session, that the Railways would not undertake to convert the existing narrow gauge lines for another ten years. The Parliamentary Secretary, in his reply to part (b) has stated that the matter is under consideration. May I know if the original decison is being reconsidered?

Shri Lal Bahadur Shastri: I do not remember if I had said categorically that no narrow gauge line will be converted during the next 10 years. Generally we think it will not be possible for us to convert many narrow gauge lines but this suggestion with regard to narrow gauge lines is different. There are, for example, railway lines of private companies which cannot function at all even for a single day. In those cases the Government of India as well as the State Governments have to consider as to how they may be replaced. Suppose they do not function or the companies are liquidated, then the Government of India has to consider how to provide the necessary transport in that area. It may be that in a particular case, we may decide to build a new line in that area instead of taking over that line. So, there are different problems in regard to this matter and we have to review the position off and on. But, generally, as I said, it will not be possible for the Railways in the coming few years to convert many of the narrow gauge lines.

Shri B. S. Murthy : If I heard the Parliamentary Secretary aright, he said as regards (b) (ii) that the recommendations of the Estimates Committee about level crossings are taken for future guidance. Is it the intention of the Ministry to say that no level crossings are there today with all the inconveniences or even in a dilapidated condition and they will not be renewed?

Shri Shahnawaz Khan: I think the hon. Member did not hear me properly. I may read it again.

"(b) (i) The matter is under consideration.

(ii) Railway Administrations have already been asked to widen to 18' on a programmed basis all the 'B' and 'C' class manned level crossing gates which are now less than that width."

पंडित ह्रा० ना० तिवारी : क्या माननीय मंत्री को यह ज्ञात है कि एन० ई० रेलवे में लेवल क्रासिंग्ज बनाने के विषय में पब्लिक की सुविधा का ध्यान कम रखा जाता है, कहीं कहीं दो दो मील तक लेवल क्रासिंग नहीं है ? क्या माननीय मंत्री इस बात की

जांच करेंगे कि एन० ई० रेलवे पर जहां बहुत दूर दूर लेवल क्रासिंग्ज हैं, वहां नए लेवल क्रासिंग बनाने का प्रबन्ध किया जाय ?

श्री लाल बहादुर शास्त्री : वहां की रेलवे लेवल क्रासिंग्ज के सम्बन्ध में माननीय सदस्य को ज्यादा पता होगा, लेकिन जिस लाइन पर मैंने दौरा किया है, उससे मेरा अन्दाजा है कि एन० ई० रेलवे पर लेवल क्रासिंग्ज ज्यादा हैं और काफी अच्छी हालत में रखी जाती हैं । लेकिन जहां फ़ासला ज्यादा है, अगर माननीय सदस्य उधर ध्यान दिलायें, तो वहां के बारे में हम जरूर विचार करेंगे । लेकिन कठिनाई यह है कि वर्तमान लेवल क्रासिंग्ज को ठीक करने, मैन करने और वाइडन करने का काम नए लेवल क्रासिंग्ज खोलने के मुकाबले में जरूरी हो गया है ।

Shri Dabhi: May I know what the Government's reaction is to the remark of the Estimates Committee that the Committee have come across a number of cases where implementation of the recommendations of the various committees have been unduly delayed and where some of the important recommendations of these committees have not been implemented at all on the ground that the members of those committees were not experts?

Shri Lal Bahadur Shastri: It is just possible that some of the recommendations of certain committees might have been delayed and they might not have been implemented so far. But, recently, I have asked the Efficiency Bureau to go into this matter and see that the recommendations of all the important committees are considered quickly and if they are agreed to, to implement them. I may inform the House that we have received a few big and important reports recently; for example, the Railway Anti-Corruption Enquiry Committee and almost all the recommendations have been accepted except a few and they are being implemented also.

छोटा नागपुर में पानी की कमी

*१८१८. **श्री विभूति मिश्र** : क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगी कि :

(क) क्या बिहार के, विशेषतया छोटा नागपुर के लोगों ने केन्द्रीय सरकार के पास इस सम्बन्ध में एक अभ्यावेदन भेजा है कि वह वहां पीने के पानी की कमी को दूर करने के लिये कार्यवाही करे;

(ख) यदि हां, तो सरकार ने अभी तक इस सम्बन्ध में क्या कार्यवाही की है ; और

(ग) पानी की यह कमी कब तक दूर हो जायेगी ?

स्वास्थ्य उपमंत्री (श्रीमती चन्द्रशेखर): (क) जी हां ।

(ख) राज्य सरकार ने छोटा नागपुर समेत सारे राज्य में कुएं खुदवाने, अधूरे कुओं को पूरा करने और नल-कूप लगाने के लिए ४४.०२ लाख रुपये मंजूर किये हैं ।

राज्य सरकार द्वारा लोकल अफ़सरों (स्थानीय अधिकारियों) को उन इलाकों में, जहां गर्मी के दिनों में कुएं वगैरह सूख जाते हैं अधिक से अधिक कुओं, तालाबों आदि से गारा निकलवाने या उनको गहरा कराने के लिए ठोस कदम उठाने की भी हिदायतें दी गई थीं ।

(ग) आशा है कि दूसरी पंचवर्षीय योजना के अन्त तक पानी की यह कमी काफी हद तक दूर हो जायगी ।

श्री विभूति मिश्र : जिन जगहों पर गरमी के दिनों में पानी की कमी हो जाती है और जहां के लोग बहुत गरीब होने के कारण कुएं नहीं बना सकते, क्या केन्द्रीय सरकार ने आदेश दिया है कि वहां पर सरकार स्वत: अपनी तरफ से पैसा देकर कुएं बनवा दे और पानी का प्रबन्ध कर दे ? अभी तक सरकार का यह नियम है कि जो लोग कूप बनाना चाहें, उन को एक-चौथाई या आधा पैसा देना पड़ता है ।

स्वास्थ्य मंत्री (राजकुमारी अमृत कौर) : केन्द्रीय सरकार की ओर से प्रान्तीय सरकारों को गांवों के लिए जो रुपया दिया

जाता है, वह बिल्कुल सुफ्त में दिया जाता है और केन्द्रीय सरकार उस पर कोई सूद नहीं लगाती है। जहां तक शहरों का सवाल है, वहां के लिए रुपया लोन के रूप में दिया जाता है।

श्री विभूति मिश्र : मंत्री जी ने मेरे भाव को नहीं समझा है।

अध्यक्ष महोदय : माननीय सदस्य हमेशा बड़े लम्बे चौड़े क्वेश्चन पूछते हैं, इसलिए उन को कोई भी नहीं समझ सकता है। छोटा छोटा क्वेश्चन पूछना चाहिए। वह इतना लम्बा नहीं होना चाहिए। The question must be very small and a single question.

श्री विभूति मिश्र : जहां पर कूप खोदे जाते हैं, वहां पर एक चौथाई या आधा वहां के लोगों को देना पड़ता है। उस क्षेत्र के लोग इतने गरीब हैं कि वे पैसा दे नहीं पाते। मेरा प्रश्न यह है कि क्या सरकार ऐसा इन्तजाम करेगी कि वह गरीब इलाकों में कुल रुपया अपनी तरफ से देकर कुएं बनवा दे।

राजकुमारी अमृत कौर : केन्द्रीय सरकार पचास फ़ीसदी खर्चा देती है और बाकी का पचास फ़ीसदी खर्चा प्रान्तीय सरकार को देना चाहिए। अगर गांव वाले नहीं दे सकते हैं, तो प्रान्तीय सरकार देती है।

श्री विभूति मिश्र : क्या हैल्थ मिनिस्टर महोदय ने स्वयं छोटा नागपुर और बिहार के दूसरे क्षेत्रों का दौरा कर के यह देखा है कि वहां पर ऐसा होता है या नहीं, क्योंकि वह गांधीवादी हैं ?

Mr. Speaker: How is it the Central Government's responsibility?

राजकुमारी अमृत कौर : प्रांतीय सरकारें स्वतन्त्र हैं, इस लिए हम उन के काम में दखल नहीं दे सकते।

Mr. Speaker : People are ignoring this aspect. Hon. Members are constantly committing the mistake of ignoring the local Assemblies. What do they do there? If they have got any grievances let them go and complain there.

Shri Bhagwat Jha Azad: We do that; but in the Santhal Parganas and the areas of Chota Nagpur the conditions are not normal and therefore we feel that the Central Government has got a responsibility to give some special help for such areas.

Mr. Speaker: There are Chota Nagpury all over India.

Shri Bhagwat Jha Azad: I say for such areas and not only for Santhal Parganas.

Rickshaw Pullers

*2819 { **Shri Ram Krishan:**
Shri Jhulan Sinha:

Will the Minister of **Labour** be pleased to refer to the reply given to Unstarred Question No. 976 on the 16th April, 1956 and state:

(a) whether the model regulations to govern the conditions of work of Rickshaw pullers have been prepared; and

(b) if so, whether a copy of the regulations will be placed on the Table of the Sabha?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). A copy of the model regulations circulated to State Governments is placed on the Table of the House. [*See* Appendix XI, annexure No. 45]

Shri Ram Krishan: By what time these regulations will be implemented?

Shri Abid Ali: These have been sent to the State Government in the month of July; it is for them to take decisions as they like.

Shri Shree Narayan Das: What is the progress made in the direction of stopping this rickshaw pulling for which the Government have addressed the State Governments?

The Minister of Labour (Shri Khandubhai Desai): Model rules have been framed with that end in view to see that rickshaw pulling by human beings is abolished gradually. It is with that end in view that the regulations have been framed and have already been sent to the State Governments to be adapted with such modifications as may be necessary in local interests. And, I hope they will carry out these regulations as early as possible.

श्री भक्त दर्शन : क्या गवर्नमेंट ने इस सुझाव पर विचार किया है कि यह जो रिक्शा

चलाने की प्रथा है इसको समाप्त करके रिक्शा चलाने वालों की सहकारी समितियां बनायी जायें जो कि उनको ओटो रिक्शा खरीदने के लिए कर्जा दें, ताकि यह प्रथा समाप्त हो जाये और एक स्वस्थ प्रथा जारी हो सके ?

श्री आबिद अली : यह मामला तो स्टेट गवर्नमेंट (राज्य सरकार) से सम्बन्ध रखता है । इस सम्बन्ध में कानफरेंस में जो चर्चा हुई थी वह उनको बता दी गयी है और सूचनायें भी दे दी गयी हैं कि आहिस्ता आहिस्ता किस तरीके से यह प्रथा बन्द की जा सकती है । स्टेट गवर्नमेंट्स का यह खयाल है कि चूंकि यह चीज आहिस्ता आहिता बन्द होगी इसलिए जो लोग बेकार होंगे वे दूसरे कामों में खुद बखुद लग जावेंगे ।

श्रीमती शिवराजवती नेहरू : क्या मंत्री जी यह बतलाने की कृपा करेंगे कि ये जो रिक्शायें बन्द की जा रहीं हैं इसके सम्बन्ध में रिक्शा चलाने वालों से भी दरियाफ्त कर लिया गया है या नहीं कि उनकी क्या इच्छा है कि वह रिक्शा चलाना बन्द करना चाहते है या नहीं, क्योंकि यह उनकी रोजी का सवाल हैं । यदि आप रिक्शा बन्द कर देंगें तो जो वह दो चार रुपया रोज कमाते हैं वह कैसे कमा पायेंगे.....

Mr. Speaker: The hon. Member may have five more minutes.

श्री आबिद अली : जी हां, मैं अर्ज कर रहा था कि इसका तो ख्याल है ही, लेकिन प्रजामत का यह ख्याल है कि रिक्शा आहिस्ता आहिस्ता बन्द होनी चाहिए । चूंकि उनको नुकसान होता है इसलिए यह प्रथा तो जारी रखना उचित नहीं होगा ।

Shri Gajendra Prasad Sinha: May I know whether the number of rickshaws has gone down or has increased recently?

श्री आबिद अली : ख्याल तो यह है कि पिछले वर्षों में कुछ ज्यादा हुआ है । अब इधर एक दो बरस में बढ़ा है या नहीं यह पता नहीं ।

Three-man Standing Committee on Railways

*1820. **Shri Jhulan Sinha:**
Sardar Iqbal Singh:
Sardar Akarpuri:

Will the Minister of **Railways** be pleased to refer to the reply given to Starred Question No. 702 on the 14th March, 1956 and state the progress of work made by the Three-man Standing Committee set up to keep in touch with the new developments in the working of Railways in other countries?

The Parliamentary Secretary to the Minister of Railways and Transport: (Shri Shahnawaz Khan): So far the Committee has held five meetings at which 35 subjects were selected after a study of about 210 issues of 31 periodicals. Of these 24 subjects were not followed up by the Committee as either they were not considered suitable for adoption under Indian conditions or they were already engaging the attention of the Railway Board. The action taken in respect of the remaining 11 subjects is indicated in the statement which has been laid on the table of the House. [*See* Appendix XI, annexure No. 46].

Shri Jhulan Sinha: May I know the overall improvement made in the administration of Railways due to the efforts of the Standing Committee?

The Minister of Railways and Transport (Shri Lal Bahadur Shastri): The Committee has started its work very recently, and it is difficult to assess what actual improvement has been made since this Committee was set up. But we do think that it will benefit the Railways a good deal if this Committee continues its work and is able to find out new ways and means for improvement in the Railways.

Sardar Iqbal Singh: May I know whether this Committee has taken up the question of use of the material mentioned in item 3 of the statement, namely, SORBOPRONE, with the Chief Design Engineer?

Shri Shahnawaz Khan: Item No. 3 is about the development of new material SORBOPRONE—which is fire resisting and does not burn and as such can be used with advantage for carriage construction. Attention of the Chief Design Engineer (C & W) has been drawn to it for considering the feasibility of the use of this material. I might point out that the main object of this Committee is to

scan various magazines coming from countries in order to ensure that the mode of thinking on our Railways is kept up to date and is in line with modern thought.

Sardar Iqbal Singh: May I know whether this fire resisting material, which has been listed in item 3, will be used in the construction of coaches for the Indian Railways?

Shri Shahnawaz Khan: This aspect is under consideration, and we will have to carry out certain experiments and find out whether it is suitable for being utilised on Indian Railways, and if we find that it is suitable, then it will be introduced.

Shri Velayudhan: Some Committee or Delegation went to Japan and to some other countries too. May I know what new mode of thought in Railways these people will be bringing from those countries, especially from Japan? What new techniques we will study from Japan as far as Railways are concerned?

Shri Shahnawaz Khan: This particular question relates to a three-man Standing Committee, which is quite different from the Committee that went to Japan. If the hon. Member puts a separate question on the work of that Committee, I shall reply.

Shri Velayudhan: One more question, Sir...

Mr. Speaker: I cannot yield. Next question.

Foot-bridge at Sonepur Station

*1821. **Pandit D. N. Tiwary:** Will the Minister of **Railways** be pleased to refer to the reply given to Starred Question No. 595 on the 9th March, 1956 and state when the construction of the foot over-bridge at Sonepur Railway Station (North Eastern Railway) will commence?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): The construction of the foot over-bridge at Sonepur will begin after the plan for Sonepur Yard remodelling, which is under examination, is finalised.

Pandit D. N. Tiwary: To a question put in 1954, the Parliamentary Secretary said that the construction of the foot over-bridge will begin soon. In his Budget Speech of 1955, the hon. Minister said that it is going to be constructed very soon. May I know what is the reason for now saying that it will be taken up after the plan for Sonepur Yard remodelling is finalised?

Shri Shahnawaz Khan: The reason for this delay has been the anxiety of the Railway Administration to provide a really first-class foot over-bridge. Initially, the idea was to provide a foot over-bridge from the island platform to the south side. Later on, the idea was revised, and it was decided to have a foot over-bridge over the whole of the Yard. Now we are trying to double the railway line between Kazipur and Sonepur, and a new bridge is being constructed over the Gandak River. So, the Sonepur Yard will have to be remodelled to make it much bigger in order to cope with the increased traffic, and we hope we will be able to give a much better foot overbridge.

Mr. Speaker: Next question.

Pandit D. N. Tiwary: One more question as this is a matter of general importance. Every year accidents occur and someone is killed.

Mr. Speaker: Wherever the railway line goes, there will be accidents.

पंडित द्वा० ना० तिवारी : हर साल सोनपुर के स्टेशन पर कुछ न कुछ बलिदान यार्ड को क्रास करने में हो जाते हैं। सोनपुर और हाजीपुर का पुल अपनी उम्र खत्म कर चुका है और यह सम्भव है कि उसके टूट जाने से कभी एक्सीडेंट हो जाए। मैं जानना चाहता हूं कि कब तक वह पुल बन जायेगा। और कब तक रिमांडलिंग हो जायेगा?

रेलवे तथा परिवहन मंत्री (श्री लाल बहादुर शास्त्री) : माननीय सदस्य ने जो कहा वह बात ठीक है और हमें उसकी चिन्ता है कि ऐसी घटनायें न हों। लेकिन जैसा कि पार्लियामेंटरी सेक्रेटरी साहब ने कहा मुकामा-घाट ब्रिज की वजह से आपके सोनपुर का सारा यार्ड और सभी कुछ रिमाडिल होना है और यह काम बड़े पैमाने पर होना है। इसलिए जब तक कि उसकी पूरी प्लानिंग न हो जाये फुट ओवरब्रिज नहीं बन सकता। जैसा कि मैंने कहा था प्लानिंग पूरी होते ही साल के भीतर काम शुरू हो जायगा। मुझे इसका पूरा भरोसा है कि साल के अन्दर काम शुरू हो जायेगा।

Sanitary Inspectors' Course, Delhi

*1825. **Shri Gidwani:** Will the Minister of **Health** be pleased to state:

(a) whether the attention of Government has been drawn to an item of news published in the *Hindustan Times*, New Delhi, dated the 17th July, 1956 to the effect that there was a bogus Institution for Sanitary Inspectors' course in Delhi parallel to the one located on Original Road and the Kutch Government had sent some young men for training in that Institute who have informed them of those facts; and

(b) if so, whether Government will consider the advisibility of preventing such Institutions being started in the Country?

The Deputy Minister of Health (Shrimati Chandrasekhar): (a) Yes.

(b) Yes. A case against the Proprietor of this Institute has been registered by the Delhi Police on the complaint of a member of the public.

Shri Gidwani: May I know whether the students who were sent by the Kutch Government to this bogus Institution are receiving education in Delhi and whether any students from other States have got admission to that Institution?

Shrimati Chandrasekhar: The students sent from Kutch are not attending the Institution.

Shri Gidwani: May I know whether Government have enquired as to what made them seek admission in such Institution, what were the conditions for admission to the Institution and whether any terms or inducements were offered by the Institution?

Shrimati Chandrasekhar: We have received a number of complaints about this particular institution and that is why the Delhi State Government has been asked to enquire in detail about this particular institution and that is why the Delhi State Government has been asked to enquire in detail about this particular institution and submit a report. After this is received by the Ministry, we may be able to give more details.

Shri Gidwani: Will the Government enquire as to how many such institutions exist in Delhi, which give either medical education or sanitary education or other education?

The Minister of Health (Rajkumari Amrit Kaur): As far as medical training is concerned, there are no such institutions but it has been brought to the notice of the Government that two bogus institutions were set up here for the training of sanitary inspectors.

Shri Kamath: The other day, if I remember right, we heard the Education Minister saying something about bogus institutions. Today we hear something about bogus medical institutions. How is it that bogus institutions sprout and flourish in India's capital under the very nose of the Central Ministers?

Rajkumari Amrit Kaur: The Ministry, unless it gets some information, cannot take any action. We do not know how these institutions were started. As a matter of fact, it came to our notice only in November 1955 that one such institute had come up and when a Minister from another State asked us whether he should send students there, we advised him against it because we knew no thing about it.

Shri Kamath: Is the atmosphere here congenial for that?

Mr. Speaker: The hon. Member is also in Delhi.

Shri Kamath: I am not aware of it. So I am asking.

Dr. Rama Rao: May I know if any Government, other than the Kutch Government, has sent candidates for training in this institute and also, if any of the graduates of this institute have been employed by any State Government?

Rajkumari Amrit Kaur: As far as I know, no one who has received training here has been employed.

Shrimati A. Kale: May I know the action taken by Government against that bogus institute?

Rajkumari Amrit Kaur: A case has been registered by the police. I know nothing more.

बिजली से चलने वाली रेलगाड़ियां

*१८२६. **श्री रघुनाथ सिंह :**
सरदार इकबाल सिंह :
सरदार अकरपुरी :

क्या रेलवे मंत्री बताने की कृपा करेंगे कि क्या यह सच है कि फ्रांस की सरकार ने बिजली से चलने वाली रेलगाड़ियों के सम्बन्ध में भारत की सहायता करने के लिये एक विशेषज्ञ-दल भेजा है ?

रेलवे तथा परिवहन मंत्री के सभा-सचिव (श्री शाहनवाज खां) : जी, हां ।

श्री रघुनाथ सिंह : मैं यह जानना चाहता हूं कि कि क्या इन लोगों ने इनक्वायरी (जांच) खत्म कर दी है और रिपोर्ट खत्म कर दी है तो क्या इन्होंने कुछ सुझाव दिये हैं कि बिजली से चलने वाली रेलगाड़ियों में क्या क्या इम्प्रूवमेंट्स (सुधार) होने चाहिएं ।

श्री शाहनवाज खां : इन्होंने इनक्वायरी करने का अपना काम खत्म कर लिया है और अपनी रिपोर्ट दे दी है जिसके कि ऊपर गौर किया जा रहा है ।

Shri Matthen: May I know whether this team has been asked to give any help regarding the manufacture of electric coaches?

Shri Shahnawaz Khan: The main object of this team was to study and report on two different systems of traction—that is, 3,000 volts D.C. and 25,000 volts 50 cycle single phase A.C.

Shri Shree Narayan Das: What are the terms and conditions on which this team came to India and may I also know whether India has to spend any money on this team?

Shri Shahnawaz Khan: The French Embassy were good enough to offer the services of these experts free of any cost.

Shri Matthen: May I know whether the Government has got any scheme for the manufacture of electric engines and coaches?

Mr. Speaker: How does it arise out of this question?

The Minister of Railways and Transport (Shri Lal Bahadur Shastri): We have asked one of the private firms to construct a few coaches; we have placed some orders on that firm.

Shri Velayudhan: May I know whether there are experts in India who can undertake this kind of survey and why such experts were brought from France?

Shri Lal Bahadur Shastri: We have got engineers. But, as the hon. Member is aware, we are trying to expand the electrification of railway lines and we are taking up a very big project in Calcutta. It is always better to consult other experts because we have not got many experts so far. If necessary, we get a few experts from abroad and take their advice. In this matter, the French Embassy were good enough to offer their services free of cost.

Shri Velayudhan: But, the point has not been answered.

Mr. Speaker: The point has been answered. The hon. Member cannot expect the Minister to give an answer in the very words in which the hon. Member wants. He said that there was a big project and there might be a few experts here. Still they would like to have better advice or supplement the advice here by the advice of the foreign experts. In this case, that Government was good enough to send the experts free of cost. What more is necessary?

Shri Velayudhan: It is investigated here. (*Interruptions.*) Are we not entitled to ask questions?

Mr. Speaker: I am not going to allow unnecessary question; it can be easily understood. Why should the hon. Member think that the Ministry goes on sending for foreign experts when there are experts in the country?

Shri Velayudhan: These things are happening in the country and so many experts are obtained by us; we are wasting a lot of money.

Mr. Speaker: We are experts in everything.

Long Staple Cotton

*1829. **Sardar Iqbal Singh:**
Sardar Akarpuri:

Will the Minister of **Food and Agriculture** be pleased to state:

(a) the amount given to Punjab Government in the form of grant or aid for improving variety of long staple cotton;

(b) the names and the number of schemes financed; and

(c) the progress made so far in the matter?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) The total amount sanctioned for the scheme for breeding long staple cotton in Punjab is Rs. 4,51,258/- for a period of 12 years from 1st April, 1949. This is in addition to Rs. 18,23,310 spent by the Indian Central Cotton Committee on Research Schemes on the improved varieties of cotton and Seed Multiplication and Distribution Schemes in operation in the Punjab.

(b) There are three schemes for breeding improved varieties of cotton including the one for breeding long staple cotton, and two schemes for multiplication and distribution of seeds of improved varieties

of cotton in operation in the Punjab. The names of the schemes are:—

(i) *Research Schemes*:

(1) Scheme for breeding long staple cotton in the Punjab;

(2) Scheme for improvement of cotton in South-Eastern districts of the Punjab ; and

(3) Scheme for breeding American cotton suitable for introduction in Central and Sub-mountainous districts of the Punjab.

(ii) *Seed Multiplication and distribution schemes*:

(1) Scheme for multiplication and distribution of 320F American cotton seed in Ferozepore, Ludhiana, Jullundur and Amritsar districts of the Punjab State; and

(2) Scheme for multiplication and distribution of 216F Cotton in Hariana tract of East Punjab.

(c) As a result of the work done under the research schemes, three improved strains, *viz.*, 216F, 320F & H.14 have been evolved and given out for general cultivation. Further, the work now in progress indicates that there is a great possibility of evolving still better rains than are available at present.

Sardar Iqbal Singh: In view of the shortage of long staple cotton may I know whether the Government has any expansion programme and also research programme in the Punjab region?

Dr. P. S. Deshmukh: We think that by the arrangements we have made and the expansion programmes we contemplate to meet the needs in respect of long staple cotton, the demand will be completely met.

Shri Kasliwal: May I know whether the Government is undertaking any survey about the production of long staple cotton all over India and if so, whether it has given any grant or aid to any State, besides Punjab?

Dr. P. S. Deshmukh: We are fairly aware of the possibilities of growing long staple cotton all over India; no special survey is necessary. What we need is more irrigation, and if irrigation is available cotton can be grown profitably in most of the fertile tracts of India. Wherever there are such possibilities we try to help the growing of long staple cotton.

Sardar A. S. Saigal : May I know in how many places the experiment for improving the variety of long staple cotton has been carried out by the Government of India?

Dr. P. S. Deshmukh: There are a very large number of schemes sponsored by the Indian Central Cotton Committee all over India, right from Madras and Karnatak to Madhya Pradesh as well as Punjab and some areas in other States.

Shri Jangde: May I know what steps the Government has taken to improve the variety and quality of Desi and Jarila cotton of India?

Dr. P. S. Deshmukh: There are breeding stations and work is going on in Nagpur and other places.

Shri Raghavachari: Is there any scheme to make an experiment with the short duration cotton in the black cotton soil of the south?

Dr. P. S. Deshmukh: There are many places in which these experiments are going on.

Shri Kelappan: May I know if the Minister is aware of a special variety of hardy long staple cotton grown in USSR and if so, will the Government try to get the seeds and experiment it here?

Dr. P. S. Deshmukh: I do not know which particular variety my friend is referring to. There are a large number of American varieties which are being bred here.

Technical School in Assam

*1830. **Shri Debendra Nath Sarma:** Will the Minister of **Railways** be pleased to state whether Government propose to start a Technical School for training apprentices in Assam during the Second Five Year Plan period?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): Yes. The North Eastern Railway propose to start a basic-training workshop with facilities for both theoretical and practical training for Trade Apprentices in Assam during the Second Five Year Plan Period.

Shri Debendra Nath Sarma: May I know the name of the place where it is going to be started?

Shri Shahnawaz Khan: It will be in the Pandu region.

Shri Debendra Nath Sarma: May I know whether the apprentice school at present functioning at Dibrugarh has been abolished?

The Minister of Railways and Transport (Shri Lal Bahadur Shastri): I do not think so, but I will have enquiries made about it.

श्रीमती शिवराजवती नेहरू : क्या मंत्री महोदय बतलाने की कृपा करेंगे कि उत्तर प्रदेश में टेकनिकल स्कूलों की क्या संख्या है ?

अध्यक्ष महोदय : यह प्रश्न आसाम के सम्बन्ध में है ।

Shri Shree Narayan Das: May I know the capacity of this institute which is going to be started in the Pandu region?

Shri Shahnawaz Khan: This institution will employ approximately 3400 skilled artisans.

Shri Shree Narayan Das: A year?

Shri Shahnawaz Khan: During the course. Every year they will be taking in 560 trade apprentices.

Deoria-Khadda Giswa Line

***1832. Shri Bishwa Nath Roy:** Will the Minister of **Railways** be pleased to state whether any step has been taken for survey regarding construction of a Railway line from Deoria to Khadda Giswa side *via* Kasia and Padrauna?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): Reconnaissance Engineering Survey and Traffic appreciation for a project from Rudrapur to Nautanwa *via* Deoria and Kushinagar has been approved in the current year's survey programme and will be undertaken as early as practicable. The proposal for connecting Padrauna and Khadda Giswa has been noted for consideration.

Shri Bishwa Nath Roy: May I know when the actual survey will start?

The Minister of Railways and Transport (Shri Lal Bahadur Shastri): I think it might start some time in October or November.

श्री विभूति मिश्र : क्या सरकार की कोई ऐसी योजना है कि गोपालगंज से लेकर देवरिया तक रेलवे लाइन बनाई जाये ?

श्री लाल बहादुर शास्त्री : अभी तक तो कोई ऐसी योजना नहीं है ।

Shri Bishwa Nath Roy: May I know the time that will be taken for completion of this survey?

Mr. Speaker: We will go to the next question.

Express Goods Train Service

***1833. { Shri Achuthan: / Shri K. C. Sodhi**

Will the Minister of **Railways** be pleased to state whether the Railways have any scheme or are contemplating any schemes to run express goods trains between North Indian cities and South and West coast towns to transport fruit like bananas, jack-fruits, pine-apple, tender coconuts etc. from South and West coast and apple and other fruit from North?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): The volume of traffic of fruits, pine-apples, tender coconuts etc., offering at stations does not justify the running of Express Goods Train, specifically for these commodities from the South and West Coast to North and *vice versa*, and there are no proposals at present for the running of such trains.

Shri Achuthan: In view of the fact that these fruits are very nutritious and delicious, will the Ministry take up the question of attaching a few wagons to the Express passenger trains starting from the West Coast and South India to the North so that these fruits can be brought here? It will have two advantages: firstly, it will encourage the agriculturists there and secondly, it will give this delicious natural food and natural cold drinks to the people in the North also.

Shri Shahnawaz Khan: A lot of these fruits is being transported by Express parcel trains and also by other passenger trains. Wagons, as suggested by the hon. Member, are also attached when it is considered necessary; otherwise, they are booked as smalls in the brake-vans.

Shri Kamath: The hon. Minister, some time ago, in this House, voiced his fears that the Railways might not be able to cope with the demands that will be made upon them during the Second Five Year Plan which has already commenced. Have his apprehensions become more serious in this connection and will the passenger carrying capacity—the human traffic carrying capacity—be seriously affected because of the increasing volume of goods traffic during the Second Five Year Plan?

The Minister of Railways and Transport (Shri Lal Bahadur Shastri): The position has not changed since I made that observation. The production is going up and, perhaps, the passenger traffic is also going up. So, a balance will have to be struck between the goods traffic and the passenger traffic. I cannot give

any assurance that more amenities or facilities—I mean, so far as reduction of over-crowding is concerned—for the passenger traffic will be provided. As regards the goods traffic, we are doing our best and naturally, if more fund is allotted to us, we will be able to do much more.

Shri Kamath: Is the balance likely to be struck in favour of goods traffic rather than the passenger traffic?

Shri Lal Bahadur Shastri: I fear it will be so.

Shri H. C. Sedhia: What is the total number of these goods trains in operation now?

Shri Shahnawaz Khan: I shall require notice for that.

Shipping

*1834. **Shri Matthen:** Will the Minister of Transport be pleased to refer to the appeal he made to the Indian ship-owners at the meeting of the Consultative Committee held in Bombay on the 28th November, 1955 to purchase 25-30 ships within a short period "to fill the existing gap in the coastal shipping", when he also offered to purchase a number of ships by the Ministry and state the number of ships and its tonnage acquired by (i) the ship-owners and (ii) the Ministry since then?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): Since the appeal made by the Minister in November last, Indian ship-owners have acquired for the coastal trade five ships of about 19,000 G.R.T. and the Government of India have purchased one ship of 2238 G.R.T. for the India-Andamans trade.

Shri Matthen: On account of the extreme necessity, the appeal was made about a year ago for 25 to 30 ships to be purchased. May I know what are the real difficulties alleged by the Minister in acquiring these ships?

Shri Shahnawaz Khan: The real difficulty is the non-availability of ships. Firstly, when we wish to purchase second-hand ships the price quoted are extremely high and, secondly, if orders for new ships are placed then very long dates are given as dates of delivery.

Shri Matthen: Am I to take it that it is impossible to get these ships within three to five years?

The Minister of Railways and Transport (Shri Lal Bahadur Shastri): I am sometimes amazed to hear Shri Matthen putting questions in this House and taking such a pessimistic view of things. He is greatly interested in this subject and, perhaps, he knows it very well that the manufacture and delivery of ships does take time. I personally think that we will be able to add to our tonnage considerably and, perhaps, we might exceed the target during the period of the Second Five Year Plan.

Shri Matthen: May I know if the hon. Minister is considering the question of a little more liberalisation of loans to the private sector for buying ships for coastal traffic by way of reducing the interest or making large loans?

Shri Lal Bahadur Shastri: If he had read my speech which I have recently made in Bombay, he would have known that the matter is at present under consideration.

Shri B. S. Murthy: The hon. Minister has been pleased to give an optimistic picture about the fulfilment of our targets. May I know what are the methods adopted to fulfil this optimistic picture, namely, that we will be having our own shipping services in the future?

Shri Lal Bahadur Shastri: The course adopted is quite clear. Both the private companies as well as the Government will have to make a joint effort in building ships that would add to our present tonnage. The private shipping companies will have to purchase new ships or second-hand ships. We have so far set up two Corporations. The Eastern Shipping Corporation has been functioning for some time. The Western Shipping Corporation has been recently set up. Both these Corporations will be purchasing new ships and running them on various routes.

Regarding loans, we have of course liberalised the terms of loans which were being given to the private shipping companies. They have asked for further liberalisation, and that matter is under our active consideration. The Finance Ministry has to be consulted and we hope it would be possible to arrive at some decision as early as possible.

Shri Mohiuddin: In order to increase the output at the Visakhapatnam shipyard, it was suggested that the shipping companies should agree to a uniform and standardised type of ships. Has the Government consulted the shipping companies and come to some conclusion?

Shri Lal Bahadur Shastri: There has been some consultation on that point and some form of standardisation has

been arrived at. Generally, it has been left to the shipping companies, and if they consider it necessary to consult the Government, they may do so. The meeting of the Shipowners' Consultative Committee is held for considering such matters. I personally think that there is no difficulty about this matter. The shipping companies will go ahead in making their purchases on a standard basis which has been roughly arrived at.

Shri Thanu Pillai: The hon. Minister said that the Government are considering the question of giving further aid. I would like to know whether the loans would be advanced for the purchase of second-hand ships also.

Shri Lal Bahadur Shastri: For both. It is for them to decide whether they would like to purchase second-hand ships or not.

Shri Thanu Pillai: I wanted to know whether the Government will give loans for the purchase of second-hand ships also.

Shri Lal Bahadur Shastri: Yes, I said so.

Dr. Rama Rao: In view of the fact that there is great difficulty in obtaining ships which are required very urgently, why don't the Government take immediate steps to start a second shipyard at Cochin?

Shri Lal Bahadur Shastri: That is a matter directly connected with the Production Ministry. Perhaps, the hon. Member is aware that only four or five days before, the Production Minister said in this House that they are actively considering the setting up of a new shipyard.

ग्वालियर-उज्जैन रेलवे लाइन

*१८३५. **श्री राधेलाल व्यास** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या ग्वालियर-उज्जैन रेलवे लाइन का सर्वेक्षण पूरा हो चुका है;

(ख) किन-किन पथों का सर्वेक्षण किया गया है और प्रत्येक पथ पर कौन-कौन से महत्वपूर्ण नगर पड़ते हैं; और

(ग) सर्वेक्षण-प्रतिवेदन पर रेलवे बोर्ड ने क्या निर्णय किया है ?

रेलवे तथा परिवहन मंत्री के सभासचिव (श्री शाहनवाज खां) : (क) अभी नहीं।

(ख) रोठियाई, व्यावरा और आगरा होते हुए गुना से नागदा के रास्ते का सर्वे पूरा हो चुका है। गुना से वजरंगगढ़ होते हुए एक दूसरे रास्ते का सर्वे भी हो चुका है जो रोठियाई के आगे उस रास्ते से मिल जायेगा। गुना-नागदा लाइन पर ये स्टेशन पड़ेंगे :—

रोठियाई, रघुगढ़, कुम्भराज, व्यावरा, खुजनेर, आगर, महिदपुर और नागदा।

(ग) सवाल नहीं उठता।

श्री राधेलाल व्यास : क्या मैं जान सकता हूं कि आरम्भ में उज्जैन से ग्वालियर लाइन के लिए दो रास्तों का सर्वे करने की आज्ञा दी गई थी यानी एक तो मकसी तक, दूसरा आगर होकर उज्जैन तक। इस तीसरे मार्ग का सर्वे करने की, उन दोनों मार्गों को छोड़कर, क्यों आज्ञा दी गई और दूसरे मार्गों के बारे में क्या हुआ ?

रेलवे तथा परिवहन मंत्री (श्री लाल बहादुर शास्त्री) : सर्वे करने में कोई हरज नहीं होता है। एक मार्ग का सर्वे करें, दो का करें या तीन का करें, यह फायदे की चीज ही होती है। किस मार्ग को अपनाया जाए, इसका फैसला बाद में किया जा सकता है।

श्री राधेलाल व्यास : मैं जानना चाहता हूं कि शाहजहांपुर आगरा से होकर जो सर्वे किया जा रहा है और उज्जैन तक भी जो सर्वे किया जाएगा, उसके बाद ही गुना से किस मार्ग से रेलवे लाइन ली जाए, इसका निर्णय किया जाएगा या सर्वे के पहले ही कोई निर्णय कर लिया गया है या कर लिया जाएगा ?

श्री शाहनवाज खां : बिल्कुल ऐसा ही किया जाएगा।

श्री उ० मू० त्रिवेदी : क्या मैं जान सकता हूं कि अभी जो वैस्टर्न रेलवे के अन्दर डिविजंस बने हैं उन डिविजंस के अन्दर में

एक मनमानी लाइन खींची गई है । जब गुना से नागदा तक लाइन बनाना है तो क्या इस बात के ऊपर रेलवे एडमिनिस्ट्रेशन निर्णय पर पहुंच चुका है कि सिर्फ यही लाइन बनेगी ?

श्री शाहनवाज खां : जैसे कि आनरेबल मिनिस्टर साहब फरमा चुके हैं, सर्वे हो रहा है । जब सर्वे हो चुकेगा और उसके ऊपर गौर मुकम्मिल हो जाएगा तभी कोई फैसला किया जाएगा ।

श्री उ० मू० त्रिवेदी : क्या मैं जान सकता हूं कि गुना से नागदा का सर्वे कब हुआ और किसी बजट के अन्दर इसका उल्लेख किया गया था ?

Shri Shahnawaz Khan: The survey of this line from Guna to Nagda was completed.

श्री राधेलाल व्यास : क्या मैं जान सकता हूं कि इस लाइन का जो सर्वे किया गया है, उसके बारे में मध्य भारत की सरकार ने भी क्या कोई सिफारिश की थी या बिरला जी की तरफ से कोई लिखा पढ़ी की गई थी कि इसका सर्वे किया जाए ?

श्री लाल बहादुर शास्त्री : हमें तो जानकारी नहीं है । सर्वे पार्टीज जाती हैं और उनको ही पता होगा । हर आदमी को यह अख्तियार है कि वह सर्वे पार्टी के सामने आकर जिस तरह की चाहे रिप्रेजेंटेशन करे ।

Office of Post Master General, Nagpur

*1836. { **Mulla Abdullabhai** : **Shri Amar Singh Damar:**

Will the Minister of **Communications** be pleased to state.

(a) whether it is a fact that the office of Post Master General at Nagpur will be submitted to Gwalior after the new States are formed ; and

(b) the facilities available to the staff at Gwalior?

The Minister in the Ministry of Communications (Shri Raj Bahadur) : (a) and (b). The question of reorganising Post and Telegraphs Circles, as a result of the reorganisation of States, is under consideration.

Shri T. B. Vittal Rao : May I know whether the scheme could be finalised soon, because, from 1st November, 1956, we are going to have new States?

Shri Raj Bahadur : It will not be possible to finalise it so quickly. We shall have to take a very many factors into consideration including the number of post offices, telegraph offices and availability of accommodation for staff, residential quarters, etc. All such factors will have to be taken into consideration before we can come to any final decision about it.

श्री अ० सि० सहगल : मैं जानना चाहता हूं कि पोस्ट मास्टर जनरल का जो दफ्तर है वह नए मध्य प्रदेश में उसके किसी मध्य भाग में रखा जाएगा ?

श्री राज बहादुर : मैंने अभी कहा है कि यह सारा प्रश्न विचाराधीन है और अभी इसका फैसला नहीं हुआ है कि कार्यालय को कहां रखा जाए । कहां पर केन्द्रीय कार्यालय खोला जाए और कहां कहां सर्किल खोले जायें, इसका फैसला बहुत सी बातों को ध्यान में रख कर करना होता है । अभी कोई फैसला नहीं हुआ है ।

मुल्ला अब्दुल्ला भाई : क्या यह सही है कि माननीय मंत्री जी ने हाल ही में यह कहा था कि पी० एम० जी० के दफ्तर को नागपुर से नहीं हटाया जाएगा ?

श्री राज बहादुर : मैं समझता हूं कि जो कुछ उन्होंने कहा है वह यह है कि इस प्रश्न पर विचार किया जाएगा कि इसे नागपुर में रखा जाए या न रखा जाए, यदि रखा जाए तो कितना रखा जाए । नागपुर के विदर्भ एरिया को देखते हुए तथा दूसरे क्षेत्रों को देखते हुए वहां क्या कोई नया सर्किल बनाया जाएगा या न बनाया जाए, ये सब प्रश्न विचाराधीन हैं और

मैं अभी यह नहीं कह सकता कि आखिरी फैसला हो गया है ।

Shri A. M. Thomas : May I enquire whether, in the new set-up, we can expect a minimum of one circle for one State?

Shri Raj Bahadur : I cannot say that we can have one circle for one State. We may even have two circles for one State if the State happens to be too big for just one circle.

Shri A. M. Thomas: I wanted to know the minimum number.

Shri Raj Bahadur : I cannot say even the minimum number of circles that we may get. May be, we may form two circles, as I said, for one State and there may also be one circle for two States.

मुल्ला अब्दुल्लाभाई : अभी माननीय मंत्री जी ने बताया कि यह प्रश्न विचाराधीन है । क्या मैं जान सकता हूं कि माननीय मंत्री जी ने क्या यह नहीं कहा था कि किसी भी हालत में इसे वहां से हटाया नहीं जाएगा ?

श्री राज बहादुर : मैं निवेदन करूंगा कि जहां तक मेरी जानकारी है, उसके अनुसार मैंने निवेदन कर दिया है । अगर आप मुझे समय दें तो मैं और सूचना प्राप्त करने के बाद आप को और कुछ बतला सकूंगा ।

Shrimati A. Kale : In view of the fact that the new Bombay State is the biggest, so far as the area is concerned, may I know whether Government would keep the P.M.G's office in Nagpur?

Shri Raj Bahadur : That is why I have not excluded the possibility of having two circles for one State, but I cannot give any categorical answer today one way or the other.

SHORT NOTICE QUESTION AND ANSWER

Delhi Transport Service

S.N.Q. 20. Shri Bhagwat Jha Azad : Will the Minister of **Transport** be pleased to state :

(a) whether a serious dislocation took place in the Delhi Transport Service on Wednesday (Janam Astami Festival day), causing a lot of inconvenience to the people ;

(b) if so, the reasons for the same; and

(c) the actions taken against those responsible for it?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) On the 29th August, 1956 the D.T.S. was able to 'outshed' only about 82% of the number of buses scheduled. This resulted in some inconvenience to passengers as it was a festival holiday.

(b) A large number of bus crews absented themselves on that day in order to press their demands for the payment of extra wages for holiday working, on their own terms.

(c) It has been agreed that the dispute will be referred to arbitration. Pending arbitration no diciplinary action has been taken.

Shri Bhagwat Jha Azad : On that day what was the number of conductors and drivers who absented themselves? What were the reasons given by them and have Government agreed to those reasons ?

Shri Shahnawaz Khan : I shall require notice for giving the exact number of persons who had absented themselves. But, as I have said in my answer before, we were able to put on the roads 82 per cent of the buses that were scheduled. Some people were absent and we had to obtain the assistance of the enforcement police.

Shri Bhagwat Jha Azad : May I know whether those people who were absent applied for leave and the leave was not granted or whether they applied for leave and absented themselves?

The Minister of Railways and Transport (Shri Lal Bahadur Shastri): Many did not apply for leave. In fact they struck work.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha) : French leave.

Shri Sadhan Gupta : May I know what kind of arbitration has the matter been referred to?. Is it arbitration by an industrial tribunal in the usual way or some other kind of arbitration?

Shri Lal Bahadur Shastri : It is by mutual agreement.

Shri Sadhan Gupta : Who is the arbitrator?

Shri Lal Bahadur Shastri : The arbitrator has not been decided but both parties have agreed that an arbitrator should be appointed.

Shri D. C. Sharma May I know if the D.T.S. authority has any arrangements to meet a crisis of this kind, and if so, what are those arrangements?

Shri Lal Bahadur Shastri: We generally do not expect that such a crisis would occur frequently; but, we have made some arrangements. We have a plan and we will have to develop it further, so that the people are not inconvenienced whenever there is a lightning strike.

Shri Bhagwat Jha Azad : May I know how far the Press report is true that a large number of workers blocked the approaches to the various depots and prevented the country of other workers, forcing them to sign on the leave applications ?

Shri Lal Bahadur Shastri : I am not aware of the details. But, I am really sorry that the workers in the bus service should be striking work so suddenly. I can understand them having some demands but it is a most an essential service. In fact I have conveyed a message to them that all their demands will be considered and as far as possible agreed to, if they are reasonable, but they should always adopt the course of negotiation. Recently by negotiation we have come to the decision to refer certain matters to arbitration.

WRITTEN ANSWERS TO QUESTIONS

New Medical College

***1822. Shri Krishnacharya Joshi:** Will the Minister of **Health** be pleased to state :

(a) whether Government propose to give financial help to the State Governments for the establishment of new medical colleges and expansion of existing ones;

(b) whether Government propose to upgrade the Diploma course in the medical schools; and

(c) whether Government propose to recognise and help the medical schools that are working today?

The Minister of Health (Rajkumari Amrit Kaur) : (a) Yes.

(b) and (c). The Government of India have no proposa der their consideration to upgrade the diploma course in medical schools but if any request is received for financial assistance for upgrading a medical school to a college it will receive due consideration. The question of Government recognising any medical School does not arise. If recognition of a medical qualification under the Indian Medical Council Act, 1933, is desired, the authority granting the qualification should apply to the Central Government for the purpose.

गोदी श्रमिक जांच समिति

*१८२३. श्री बाल्मीकि : क्या श्रम मंत्री यह बताने की कृपा करेंगे कि:

(क) सरकार ने गोदी श्रमिक जांच समिति की किन-किन मुख्य सिफारिशों को स्वीकार कर लिया है ; और

(ख) उन सिफारिशों को कहां तक कार्यान्वित किया गया है ?

श्रम मंत्री (श्री खंडभाई देसाई) : (क) और (ख) एक विवरण लोक सभा की मेज पर रख दिया गया है । [देखिये परिशिष्ट ११, अनुबन्ध संख्या ४७]

Misbehaviour of a Police Official

***1824. Shri A. K. Gopalan :** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that a high police official of Madras refused to give room for other passengers in the air conditioned compartment at Salem ;

(b) whether it is also a fact that the said police officer threatened the ticket examiner and other railway staff intervening in the situation; and

(c) if so, the action Government took in the matter?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan):

(a) Yes, such an incident took place on 27-8-1955 on Nilagiri—Madras Express at Salem.

(b) The Police Officer expressed his displeasure to the station staff at the disturbance caused to him and his family during night hours.

(c) The matter was investigated and it was revealed that the officer was under a mis-apprehension that the whole compartment was reserved for him and his family.

The officer was advised that his refusal to accommodate other passengers in his compartment was not in order, and the matter is being taken up with the state Government.

Under ground Transport System in Calcutta

*1827. **Shri N. B. Chowdhury** : Will the Minister of **Railways** be pleased to state:

(a) whether Government of India have been consulted by the West Bengal Government about the proposed underground transport system for certain vital part of Calcutta city ; and

(b) if so, what is Government's reaction to the proposal?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnhwaz Khan) : Yes Sir.

(b) Underground railway systems in Municipal areas do not come within the purview of the Indian Railways, The Government of West Bengal were, therefore, advised accordingly.

रेलवे कर्मचारियों की डाक्टरी परीक्षा

*१८२८. **श्री प० ला० बाकपाल** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि रेलवे बोर्ड ने मई—जून, १९५५ की चीफ मेडिकल आफिसरों की मीटिंग में यह तय किया कि उन रियासती रेलों के, जो १९५२ में विलय हुई हैं, कर्मचारियों के सम्बन्ध में, यदि वे दृष्टि-परीक्षा में फेल हो जायें, चीफ मेडिकल आफिसर को यह अधिकार दिया जाये कि वह उनको योग्य घोषित कर सके;

(ख) क्या यह भी सच है कि १९५२ से पहले रियासती रेलों के नियम सरकारी रेलों के नियमों के समान कठोर नहीं थे ; और

(ग) क्या इसके आधार पर कुछ गार्डों ने अपने अभ्यावेदन सी० एम० ओ०, उत्तर रेलवे दिल्ली को दिये थे और उन पर अभी तक कोई निर्णय नहीं किया गया है ?

रेलवे तथा परिवहन मंत्री के सभासचिव (श्री शाहनवाज खां) : (क) जी, हां । चीफ मेडिकल अफसरों को अधिकार दिया गया है कि भूतपूर्व रियासती रेलों के जो कर्मचारी निगाह की तेजी [visual acuity] और रंग के ज्ञयान के निर्धारित स्तर से कम साबित हों उनकी फिर से जांच करें और सुरक्षा और कार्य कुशलता को ध्यान में रख कर जहां जैसी स्थिति हो उसके अनुसार छूट दें ।

(ख) भूतपूर्व रियासती रेलों में एक से नियम नहीं थे क्योंकि हर रेलवे में अपनी जरूरत के मुताबिक नियम बनाये गये थे ।

(ग) जी, हां । इस पर अभी विचार किया जा रहा है ।

Bridge over the River Jia Bharali in Assam

*1831. **Shri K. P. Tripathi** : Will the Minister of **Transport** be pleased to refer to the reply given to Unstarred Question No. 1057 on the 16th April, 1956 and state.

(a) whether Government have since approved the site of the bridge over the river Jia Bharali in Assam;

(b) if so where; and

(c) what will be the cost and what part of it will be contributed by the Central Government?

The Parliamentary Secretary to The Minister of Railways and Transport (Shri Shahnawaz Khan) : (a) and (b) . A site two miles below the Siloni Pam ferry ghat has been selected for the construction of the bridge over the river Jia Bharali

(c) No detailed estimate has as yet been framed. The Central Government has offered a grant of Rs. 60 lakhs.

Civil Aviation Quarters

*1837. **Shri T. B. Vittal Rao** : Will the Minister of **Communications** be pleased to state:

(a) whether he gave any assurance while addressing the Third All India Conference of Civil Aviation Department Employees' Union at Bombay that the Civil Aviation quaters will not be allotted to staff of other departments; and

(b) if so, whether this undertaking is being considered?

The Minister in the Ministry of Communications (Shri Raj Bahadur): (a) and (b). The view ex pressed was that if the quarters had been constructed out of

Civil Aviation funds for the Civil Aviation Department staff, it was not correct to allot them to the employees of the other Departments, and that the question would be examined in greater detail. In actual practice the requirements of the staff of other departments located at the aerodromes are also taken into account in deciding the number of quarters to be constructed and the quarters are constructed in a common pool and allotments are made more or less proportionately between the various departments concerned.

Labour Unrest in Madras Harbour

*1838. **Shri Nambiar** : Will the Minister of **Transport** be pleased to state:

(a) whether it is a fact that the agreements signed between the Coal and Ore labour contractors of the Madras Harbour and the workers have not been honoured by the contractors since March, 1955;

(b) whether this has created serious labour unrest there;

(c) whether Government are aware of the decision of the Madras Harbour Workers' Union to go in for direct action in case the workers' minimum demads including wage increase are not met by 31st August, 1956; and

(d) the steps Government are taking to settle the dispute amicably?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan) : (a) Government are informed that the members of the Coal Employers' Association which has signed an agreement with the Madras Harbour Workers' Union are observing the terms of the agreement. No information is available whether employers who are not members of the Association are paying wages as stipulated in the said agreement.

(b) Some unrest is reported among the workers.

(c) The Union has given notice to all coal employers that if certain demands are not conceded by 31st August, 1956, it will be free to advise workers to take appropriate action.

(d) It is undertstood that negotiations will take place between the union and the Association shortly.

Railway Malgodam Mazdoor Sabha Moghalsarai

*1839. **Thakur Jugal Kishore Sinha** : Will the Minister of **Labour** be pleased to state:

(a) whether the Regional Labour Commissioner of Kanpur has advised the Secretary of the Railway Malgodam Mazdoor Sabha of Moghalsarai not to resort to strike as their dispute regarding the deduction of wages had been referred to Government ; and

(b) if so, the action Government have taken to dissolve the dispute or to restore the cut which is being made from their wages?

The Minister of Labour (Shri Khandubhai Desai) : (a) Yes.

(b) The matter is under consideration. In the meantime, the Regional Labour Commissioner (Central), Kanpur, is also making further efforts at settlement in conciliation.

Subsidiary Port near Calcutta

*1840. **Shri S. C. Samanta** : Will the Minister of **Transport** be pleased to state

(a) whether it is a fact that Geon khali was surveyed by some French Experts in 1951-52 with a view to its development as a subsidiary port near Calcutta; and

(b) if so, whether the Experts submitted any report?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan) : (a) No, Sir.

(b) Does not arise.

काम दिलाऊ दफ्तर

*१४८१. **श्री भक्त दर्शन** : क्या श्रम मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सारे देश के कामदिलाऊ दफ्तरों और उनके कर्मचारियों को १ अक्टूबर, १९५६ से विभिन्न राज्य सरकारों को सुपुर्द करने का निर्णय किया गया है ; और

(ख) यदि नहीं, तो इसे कब से करने का विचार है ?

अन्न मंत्री (श्री संतूभाई देसाई) : (क) और (ख). दिल्ली के सिवाय सभी स्थानों के काम दिलाऊ दफ्तरों की बाजापता सुपुर्दगी १ नवम्बर, १९५६ तक कर दी जायगी ।

सागर रेलवे स्टेशन

*१८४२. श्री खू० चं० खोखिया : क्या रेलवे मंत्री सागर रेलवे स्टेशन के बारे में १६ अगस्त, १९५६ के अतारांकित प्रश्न संख्या ७२६ के भाग (ख) के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) योजना में सम्मिलित दो निर्माण कार्यों में जिनको १९५७–५८ तक पूरा करने का विचार है अनुमानत: कितना खर्च होगा ;

(ख) क्या यह सच है कि सागर स्टेशन के प्लेटफार्म का फर्श, जो दो साल पहले बनाया गया था, वर्षा के पानी से बहुत सी जगहों पर टूट गया है ; और

(ग) क्या रेलवे प्रयोक्ता सुविधा समिति का ध्यान इस ओर आकर्षित किया गया था कि फर्श की रक्षा के लिये और यात्रियों की सुविधा के लिये प्लेटफार्म के ऊपर छत का बनाया जाना बहुत ही आवश्यक है ?

रेलवे तथा परिवहन मंत्री के संसदीय सचिव (श्री शाहनवाजखां) : (क) से (ग). एक बयान सभा पटल पर रख दिया गया है । [देखिये परिशिष्ट ११, अनुबन्ध संख्या ४८]

Committee on Indigenous Medicine

*1843. **Shri Hem Raj** : Will the Minister of **Health** be pleased to refer to the reply given to Starred Question No. 57 on the 17th February, 1956 and state:

(a) whether the final report of the Dave Committee on indigenous medicine has been received; and

(b) the main recommendations made by it?

The Minister of Health (Rajkumari Amrit Kaur) : (a) The final report was received on the 28th August, 1956 and is being scrutinised.

(b) A copy of the Report containing these recommendations will be laid on the Table of the Sabha in due course.

Matchwood Cultivation

*1844. **Shri Kajrolkar** : Will the Minister of **Food and Agriculture** be pleased to refer to the reply given to Unstarred Question No. 980 on the 16th April, 1956 and state:

(a) the progress so far made in matchwood cultivation Statewise; and

(b) whether suitable arrangements have been made to supply such matchwood to match producers on a cottage industry basis?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) A statement is laid on the Table of the Lok Sabha. [*See* Appendix XI, annexure No. 49].

(b) Does not arise as the trees will not be ready for being cut for at least 15 years.

Railway Out-agencies

*1845. **Shri C. R. Narasimhan**: Will the Minister of **Railways** be pleased to state:

(a) how many railway out-agencies are now under operation in Salem District;

(b) whether a list of places having out-agency facilities in the district will be placed on the Table of the Sabha;

(c) whether any new place or places in the district desired an extension of these facilities ; and

(d) what consideration Government are giving to the matter?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan) : (a) Three.

(b) & (d). Yes, Sir. A list and a statement are placed on the Table of the House. [*See* Appendix XI, annexures Nos. 50 and 51].

(c) Yes, Sir.

Rajkharswan-Gua Line

*1846. **Shri Deogam** : Will the Minister of **Railways** be pleased to refer to

the reply given to Unstarred Question No. 1651 on the 2nd May, 1956 and state:

(a) whether it has been brought to his notice that in the doubling operation of the Rajkharswan-Gua line, the contractors in charge of the lines have dispossessed the cultivators of their cultivated lands lying along the railway line without acquiring them in accordance with the Land Acquisition Act;

(b) whether it is a fact that complete damage has been done to the crops in the above operations; and

(c) whether the lands will be acquired and due compensation paid for the lands as well as for the crops damaged?

The Parliamentary Secertary to the Minister of Railways and Transport (Shri Shahnawaz Khan) : (a) Before starting the work an agreement was obtained from the owners in writing that they had no objection to the Railway's entry on their land pending the finalisation of acquisition proceedings.

(b) No damage was done to any crops since at the time of starting the work there were no crops.

(c) Arrangements are in hand for the acquisition of the land and for the payment of compensation.

Bhaite-Bhadran and Sojitra-Dholka Lines

*1847. **Shri Dabhi** : Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that Bhaite-Bhadran and Sojitra-Dholka lines were included in the surveys which had been sanctioned; and

(b) if so, why no amount for the surveys of these two lines has been provided for in the budget for 1956-57?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan) : (a) Yes.

(b) An amount of Rs. 17,000/- is being provided through the August Review of the Railway's current year's budget.

Railway Printing Presses

*1848. **Shri Jhulan Sinha** : Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the Railway printing presses have not the capacity to cope with the work required of them and that private presses have to be called in to complete it ; and

(b) if so, whether the question of increasing the capacity of the present presses and of saving large amount of money there by has been examined and whether any decision has been taken in respect thereof?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan) : (a) Yes.

(b) Yes, it has been decided to make the Railway Printing presses self sufficient as far as possible.

Farmer's Weather Bulletins

*1849. **Pandit D. N. Tiwary** : Will the Minister of **Communications** be pleased to state whether any estimate has been made of the peasants taken advantage of farmer's weather bulletins broadcast by A.I.R.?

The Minister in the Ministry of Communications (Shri Raj Bahadur) : No systematic survey has been made as to how far the peasants are taking advantage of the Farmer's Weather Bulletins. However, from the reports received from some of the Community Project Centres, through which a scheme of dissemination of special weather messages to farmers was put into operation, it is seen that the agriculturists generally found the weather messages useful in regulating the agricultural operations.

Prices of Agricultural Commodities

*1850. **Shri Bibhuti Mishra** : Will the Minister of **Food and Agriculture** be pleased to state whether it is a fact that Government are contemplating to set up an expert body to examine the question of fixing minimum prices for agricultural commodities?

The Minister of Food and Agriculture (Shri A. P. Jain) : No such proposal is at present under the consideration of Government.

रेलवे स्टीमर दुर्घटना

*१८५१. **श्री रघुनाथ सिंह** : क्या रेलवे मंत्री बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि २१ जुलाई, १९५६ को पूर्वोत्तर रेलवे का समस्तीपुर नाम का एक स्टीमर दीघाघाट और पलेजा-घाट के बीच ज्यों ही वह चला था, डूब गया ; और

(ख) यदि हां, तो दुर्घटना के कारण क्या हैं और हताहतों की संख्या कितनी है ?

रेलवे तथा परिवहन मंत्री के सभासचिव (श्री शाहनवाज खां) : (क) पैडिल स्टीमर समस्तीपुर जब दीघाघाट (पटना) से आगे किनारे के पास लंगर डाल कर खड़ा था, १९-७-५६ को रात के लगभग ३ बज कर ३० मिनट पर डूब गया ।

(ख) यह दुर्घटना किस वजह से हुई, कहसी जांच की जा रही है । इसमें न कोई मरा और न घायल हुआ ।

टी० टी० ई०

*१८५२. **श्री प० ला० बाकपाल** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि रेलवे बोर्ड के निदेश के मुताबिक टी० टी० ई० के ६०—१५० रुपये के वेतन क्रम में सीधी भर्ती नहीं की जाती है ; और

(ख) यदि हां, तो कुछ गार्डों को, जो कि दृष्टि परीक्षा (विजन टेस्ट) में फेल हो गये थे, टी० टी० ई० के वेतन क्रम में लेने के क्या कारण हैं ?

रेलवे तथा परिवहन मंत्री के सभासचिव (श्री शाहनवाज़ खां) : (क) जी, हां ।

(ख) डाक्टरी में फेल हो जाने पर जिन गार्डों को टी० टी० ई० बना कर रखा जाता है, इसका मतलब यह नहीं है कि उनकी सीधी भर्ती की गई है । इसलिये, यह रेलवे बोर्ड की हिदायत के खिलाफ नहीं है ।

Vigilance Work in Railways

*1853. **Shri Shree Narayan Das** :
Pandit D. N. Tiwary :

Will the Minister of **Railways** be pleased to state:

(a) whether the organisational set up for vigilance work in the Railways has been decided upon;

(b) if so, its nature and strength; and

(c) the steps taken so far in setting this organisation to function?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan) : (a) Yes.

(b) A statement is laid on the table of the House. [*See* Appendix XI, annexure No. 52].

(c) The organisation has been functioning even before the recent changes. It has now been strengthened.

Fish Nurseries

*1854. **Shri N. B. Chowdhury:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether any assistance has been given to the Government of West Bengal for fish nurseries in that state; and

(b) if so, the details thereof?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Yes.

(b) A grant of Rs. 8000/- was given to meet 50% of the total bonus payable by the State under the scheme for producing 80 lakhs Carp Fry.

Industrial Training Institute, Jorhat

*1855. **Shri K. P. Tripathi:** Will the Minister of **Labour** be pleased to state:

(a) whether the employees of the Industrial Training Institute of Jorhat in Assam have been served with notices of retrenchment;

(b) if so, why; and

(c) the steps that have been taken to ensure that they obtain the same conditions of service from the succeeding employer as they were getting before?

The Minister of Labour: (Shri Khandubhai Desai): (a) Yes.

(b) The posts in which the employees of the Industrial Training Institute have been working will cease to exist in the Central Cadre after the transfer of administration of the Institute to the State Government.

(c) The State Government have agreed to take into account the previous service of these employees under the Government of India for the purpose of leave, pension etc. and also to protect their existing pay by treating where necessary, a part of it as personal pay in the State service.

Aerodrome at Trichur

*1856. **Shri Achuthan:** Will the Minister of **Communications** be pleased to state whether Government are considering the opening of an aerodrome in or near about Trichur, in Travancore-Cochin State?

The Minister in the Ministry of Communications (Shri Raj Bahadur): No, Sir.

Facilitation Committee

*1857. **Shri Krishnacharya Joshi:** Will the Minister of **Communications** be pleased to state:

(a) the main recommendations made during the years 1955 and 1956 by the Facilitation Committee established by the Civil Aviation Department in 1954; and

(b) how far they have been implemented?

The Minister in the Ministry of Communications (Shri Raj Bahadur): (a) and (b). I place on the Table of the Sabha a statement giving the requisite information. [*See* Appendix XI, annexure No. 53].

Employees' State Insurance Corporation

*1858. **Shri T. B. Vittal Rao:** Will the Minister of **Labour** be pleased to state:

(a) whether Government have examined the report of the Sub-Committee which inquired into the working of Employees' State Insurance Corporation.

(b) if so, the decision that has been arrived at; and

(c) the steps, if any, taken for the efficient functioning of the Corporation?

The Minister of Labour: (Shri Khandubhai Desai). (a) to (c). The Sub-Committee to inquire into the working of the Employees' State Insurance Scheme was not appointed by Government. It was appointed by the Standing Committee of the Employees' State Insurance Corporation and it has submitted two reports to that Committee. Necessary action on the Sub-Committee's recommendations which relate to provision of medical and cash benefits and administrative matters is being taken by the Corporation.

Bridge Tax at Howrah

*1859. **Shri S. C. Samanta:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that after the completion of the Pontoon Bridge at Howrah, a bridge tax was added with the tickets of passengers travelling to and from Howrah Station;

(b) if so, whether it is being continued at present;

(c) the amount that has been collected for the purpose uptil now; and

(d) how the amount has been disbursed?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shah nawaz Khan): (a) to (d). A statement is laid on the Table of the House. [*See* Appendix XI, annexure No. 54].

प्रादेशिक पर्यटन मंत्रणा समिति

*१८६०. **श्री भक्त दर्शन :** क्या परिवहन मंत्री ३ अप्रैल, १९५६ के तारांकित प्रश्न संख्या ११४५ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या प्रादेशिक पर्यटन मंत्रणा समिति के पुनर्गठन के बारे में अन्तिम निर्णय कर लिया गया है ;

(ख) यदि हां, तो प्रत्येक समिति के नये पदाधिकारियों और सदस्यों के नामों और पदों का विवरण सभा-पटल पर रखा जायेगा ;

(ग) यदि नहीं, तो अन्तिम निर्णय कब तक कर लिया जायेगा ; और

(घ) इस सम्बन्ध में देरी के क्या कारण हैं ?

रेलवे तथा परिवहन मंत्री के संसदीय सचिव (श्री शाहनवाज खां) : (क) जी, नहीं ।

(ख) सवाल ही पैदा नहीं होता ।

(ग) और (घ). बहुत से राज्य सरकारों ने अभी तक राज्य सलाहकार-समितियों (State Advisory Committees) की स्थापना नहीं की है । प्रादेशिक यातायात समितियों की पुनः स्थापना तभी की जायेगी जब राज्य सलाहकार समितियां बन जायेंगी और वह अपने प्रतिनिधि चुन कर प्रादेशिक समितियों में भेज देंगी ।

Irrigation by Tube-wells

*1861. **Sardar Iqbal Singh:**
Sardar Akarpuri:

Will the Minister of **Food and Agriculture** be pleased to state the area of land irrigated by tube-wells sunk under the "Grow More Food" Scheme in Punjab and Pepsu State?

The Minister of Food and Agriculture (Shri A. P. Jain): Punjab —3,76,305 acres
Pepsu — 83,300 acres

during the First Five Year Plan period.

Soil Conservation Society of India

*1862. **Shri Hem Raj:** Will the Minister of **Food and Agriculture** be pleased to refer to the reply given to Starred Question No. 266 on the 27th February, 1956 and state:

(a) whether Government have since received the recommendations of the Soil Conservation Society of India;

(b) if so, whether a copy of the same will be laid on the Table of the Sabha; and

(c) which of them have been accepted by Government?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Yes, Sir.

(b) A copy is laid on the Table of the Lok Sabha. [*See* Appendix XI, annexure No. 55].

(c) Government have taken note of all the recommendations in so far as they concern the Government of India. Most of these are already receiving of the Central Soil Conservation Board. A few of the recommendations, however, are such as can be implemented only after sometime.

Per Capita **Consumption of Sugar**

*1863. **Shri Kajrolkar:** Will the Minister of **Food and Agriculture** be pleased to refer to the reply given to Unstarred Question No.687 on the 16th August, 1956 and state:

(a) the reasons for the very great disparity in the *per capita* consumption of sugar in Delhi State as compared to other States; and

(b) the steps Government propose to take to see that there is more equitable distribution of sugar in areas which are at present not getting this essential commodity?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b). A statement giving the required information is laid on the Table of the Lok Sabha [*See* Appendix XI, annexure No. 56].

चकिया सिधवालिया लाइन

*१८६५. **श्री विभूति मिश्र** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार पूर्वोत्तर रेलवे के चकिया-सिधवालिया स्टेशनों के बीच एक रेलवे लाइन बनाना चाहती है ;

(ख) यदि हां, तो गंडक नदी के ऊपर पुल कहां पर बनाया जायेगा ; और

(ग) यातायात के लिये उपर्युक्त लाइन कब तक खुल जायेगी ?

रेलवे तथा परिवहन मंत्री के सभासचिव (श्री शाहनवाज़ खां) : (क) जी, नहीं ।

(ख) और (ग). सवाल नहीं उठता ।

Homeopathic Colleges

*1866. **Shri S. C. Samanta:** Will the Minister of **Health** be pleased to state:

(a) whether it is a fact that there are eight Homeopathic Colleges functioning in India according to the report of the Homeopathic Enquiry Committee;

(b) if so, whether Government have examined their status and how many of them are recognised by the State faculties of different States; and

(c) how many of them have come forward for help to upgrade them and to carry on research works?

The Minister of Health (Rajkumari Amrit Kaur): (a) Yes.

(b) The Government of India have not examined their status. Three Colleges are recognised by the West Bengal State faculty.

(c) Five out of these eight Colleges have come forward for financial assistance from the Central Government for the purpose of upgrading and research.

बिलासपुर रेलवे बस्ती

*१८६७. **श्री ए० लाल० बाकपाल** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि दक्षिण पूर्वी रेलवे पर बिलासपुर की रेलवे बस्ती की जनसंख्या १९५६ के सर्वेक्षण

के आधार पर कितनी है और वहां हिन्दी के प्राथमिक स्कूल कितने हैं ?

रेलवे तथा परिवहन मंत्री के सभासचिव (श्री शाहनवाज खां) : कुल आबादी १४,४०७ है जिस में से ११,४२२ रेल-कर्मचारी और उनके परिवार के लोग हैं । इस बस्ती में हिन्दी के दो प्राइमरी स्कूल हैं ।

I. B. Collieries, Sambalpur

1868. **Shri T. B. Vittal Rao:**
Dr. Natabar Pandey:

Will the Minister of **Labour** be pleased to state:

(a) whether Government are aware that the Assistant General Manager of the I. B. Collieries, Sambalpur (Orissa) fired on a crowd of workers of the Collieries on 12th August, 1956;

(b) if so, whether Government have conducted any investigation into the matter;

(c) if so, the action taken by the Regional Labour Commissioner to resolve the dispute before the incident; and

(d) the steps taken by Government to implement the decisions of the Industrial Tribunal Award at the Collieries?

The Minister of Labour (Shri Khandubhai Desai): (a) Yes.

(b) It is reported by the State Government that the case is under investigation.

(c) Conciliation proceedings were started but no agreement could be reached.

(d) The Regional Labour Commissioner concerned has asked the management to rectify the irregularities which were detected with regard to the implementation of the Award.

किसानों के बैंक

*१८६९. **श्री भक्त दर्शन** : क्या खाद्य और कृषि मंत्री २४ अगस्त, १९५६ के तारांकित प्रश्न संख्या १३८४ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि किसानों के बैंक की स्थापना के बारे में जो प्रस्ताव था, उसको रद्द करने के क्या कारण हैं ?

खाद्य और कृषि मंत्री (श्री अ० प्र० जैन) : रूरल क्रेडिट सर्वे कमेटी रिपोर्ट (Rural Credit Survey Committee Report) की सिफारिशें, जो सरकार ने स्वीकार कर ली हैं, देहाती इलाकों में ऋण देने की सुविधायें बढ़ाने के विषय में इतनी व्यापक हैं कि किसानों को बैंक स्थापन करने की आवश्यकता नहीं समझी गई ।

Ticketless Travel

1368. **Shri Ram Krishan:** Will the Minister of **Railways** be pleased to state the action taken by Government in implementing the recommendations in regard to ticketless travelling suggested by Estimates Committee in its 26th report?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): The recommendations made by the Estimates Committee in their 26th Report regarding ticketless travelling on Indian Railways are generally in keeping with the directives issued by the Railways Board to the Railways. Further intensification of the steps already being taken is in hand. The instructions issued to the Railways include check of tickets held by passengers by the Railway Staff on being called upon to exercise such checks by the Members of the Zonal Railways Users' Consultative Committee and the National Railway Users' Consultative Council.

New Post Offices

1369. **Shri Ram Krishan:** Will the Minister of **Communications** be pleased to state the number of post offices, telegraph offices and public call offices proposed to be opened under Second Five Year Plan, State-wise ?

The Minister in the Ministry of Communications (Shri Raj Bahadur):

Post Offices	20,000	approx.
Telegraph Offices	1,400	,,
Public Call Offices	1,200	,,

Each of the proposals has to be considered individually and such examination is taken up from year to year. It is, therefore, not practicable to give the figures State-wise.

Expansion of Trunk Exchanges

1370. **Shri Ram Krishan:** Will the Minister of **Communications** be pleased to state:

(a) whether the programme for expansion of Trunk Exchanges during Second Five Year Plan has been finalised;

(b) if so, the details thereof; and

(c) the number of Exchanges to be installed, State-wise ?

The Minister in the Ministry of Communications (Shri Raj Bahadur): (a) Yes, so far as the broad programme is concerned.

(b) In all, about 700 trunk switchboard positions are proposed in various stations of the country. Detailed plans will depend on availability of accommodation relative urgency etc. and will be finalised about 6 months before actual installation in each case.

(c) The expansion programme refers only to existing trunk exchanges and the new switch boards will be added to existing exchanges in each state.

Grow More Food Schemes

1371. **Shri Ram Krishan:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether allocations have been made for the current financial year under the Grow More Food Scheme; and

(b) if so, the figures, sanctioned and disbursed, State-wise?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) Yes, Sir.

(b) A statement is laid on the Table. [*See* Appendix XI, annexure No. 57.]

रेलों की भिड़न्त

१३७२. **श्री रघुनाथ सिंह :**
श्री विश्वनाथ राय :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि १४ जुलाई, १९५६ को ४–१५ म० पू० पर गोरखपुर डिवीजन के सहजनवा स्टेशन पर ३१६ डाउन जनता एक्सप्रैस मालगाड़ी के दो डिब्बों से टकरा गई, जिसके परिणाम स्वरूप दोनों डिब्बे गिर गये और इंजन के अगले दोनों पहिये टूट गये ; और

(ख) यदि हां, तो दुर्घटना का विवरण क्या है तथा दुर्घटना के जिम्मेदार व्यक्ति को क्या दंड दिया गया ?

रेलवे तथा परिवहन मन्त्री के सभासचिव (श्री शाहनवाज खां) : (क) और (ख). पूर्वोत्तर रेलवे के लखनऊ क्षेत्र के गोण्डा-गोरखपुर मुख्य लाइन सेक्शन के सहजनवा स्टेशन पर नं० १ जी०के०जी०अप माल गाड़ी की शंटिंग के समय उसके दो माल-डिब्बे लुढ़क गये, जिनकी ओर किसी का ध्यान नहीं गया । ये डिब्बे स्टेशन के डाउन आउटर और होम सिगनल के बीच आ कर रुके । १४–७–१९५६ को ४ बज कर १३ मिनट पर जिस समय नं० ३१६ डाउन जनता तेज़ सवारी गाड़ी सहजनवा स्टेशन यार्ड में आ रही थी, तो यह गाड़ी उन दो माल-डिब्बों से टकरा गई । टक्कर लगने से दोनों माल डिब्बे पटरी से उतर कर उलट गये । साथ ही गाड़ी के इंजन के दाहिनी ओर के पहिये भी पटरी से उतर गये । इंजन का कोई पहिया नहीं टूटा ।

इस दुर्घटना के लिये जो कर्मचारी जिम्मेदार हैं उन्हें १४–७–१९५६ से मुअत्तल कर दिया गया है और उनके विरुद्ध उपयुक्त अनुशासन की कार्यवाही करने के विचार से उन पर चार्ज शीट लगाई गई है ।

रेल दुर्घटना

१३७३. **श्री रघुनाथ सिंह :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि १७ जुलाई, १९५६ को पोकारन को जाने वाली सवारी गाड़ी मारवाड़ खारा और मारवाड़ भीतरी रेलवे स्टेशनों के बीच जोधपुर से ११० मील की दूरी पर पटरी से उतर गई ; और

(ख) यदि हां, तो दुर्घटना का कारण क्या है और हताहतों की संख्या क्या है ?

रेलवे तथा परिवहन मन्त्री के सभा सचिव (श्री शाहनवाज खां) : (क) १७-७-१९५६ को दिन में १० बज कर ४० मिनट पर जब १ जे० जे० पी० मिली जुली

गाड़ी (mixed train) उत्तर रेलवे के पोकरण-जोधपुर मीटर लाइनें सेक्शन के मारवाड़ खारा और मारवाड़ विथरी स्टेशनों के बीच जा रही थी, उसका इंजन और उसके साथ के तीन खाली माल-डिब्बे ९५/५–६ मील पर पटरी से उतर कर उलट गये ।

(ख) गवर्नमेंट इन्सपेक्टर ने जांच के बाद जो अन्तरिम रिपोर्ट दी है उसके अनुसार गाड़ी का पटरी से उतरने का कारण यह है कि भारी वर्षा और बाढ़ के कारण उस मील पर लाइन कट गई थी ।

एक आदमी मर गया और दूसरे पांच आदमी घायल हुये ।

मालगाड़ी का लूटा जाना

१३७४. **श्री रघुनाथ सिंह** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि २३ जुलाई, १९५६ को पुलिस को शोलापुर में दिन दहाड़े एक माल गाड़ी से चावल लूटने वाले गिरोह पर गोली चलानी पड़ी ; और

(ख) यदि हां, तो घटना का वास्तविक विवरण क्या है ?

रेलवे तथा परिवहन मन्त्री के सभा सचिव (श्री शाहनवाज खां) : (क) जी, हां ।

(ख) २३–७–५६ को शाम के लगभग ५ बजे २०–२५ आदमी शोलापुर मार्शलिंग यार्ड में घुस गये और एक माल डिब्बे को खोल कर उन्होंने दो बोरे चावल निकाल लिया । उस इलाके में गस्त लगाने वाले रेलवे पुलिस के सशस्त्र हैड कान्सटेबल ने उन चोरों को देखा और ललकारा । इस पर उन्होंने पत्थर फेंकना शुरू कर दिया और लोहे की पट्टियों से हमला करने की धमकी दी । इसीलिये हैड कान्सटेबिल ने उन आदमियों पर गोली चला दी । उन में से हरीदास मांग गरोड़ी नामक एक आदमी को गोली लगी जो कि बाद में मर गया । यह आदमी शोलापुर की जरायम पेशा बस्ती का रहने वाला था । दूसरे चोर चावल के निकाले हुये बोरों को वहीं छोड़ कर भाग गये । शोलापुर रेलवे पुलिस ने भारतीय दंड विधान (Indian Penal Code) की धारा ३९५ के अधीन मामला दर्ज किया है ।

Punchkura Railway Station

1375. **Shri N. B. Chowdhury:** Will the Minister of **Railways** be pleased to state the teps, if any that have been taken by Government to make arrangement for the construction of a passenger shed at the Punchkura Railway Station on the South-Eastern Railways to remove the difficulties of Third Class passengers ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): The work of providing a passenger shed at this station was proposed to be undertaken during the current financial year. Due to the likelihood of extensive alterations to platforms and yard at this station in connection with the electrification of the Howrah-Kharagpur Section, the work is being held in abeyance pending finalisation of the plans.

Central Tourist Advisory Traffic Committee

1376. **Shri Ram Krishan:** Will the Minister of **Transport** be pleased to state:

(a) whether Government have considered the resolutions passed or recommendations made by the Central Tourist Traffic Advisory Commitee which met recently; and

(b) if so, with what results?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) The recommendations made by the Central Tourist Traffic Advisory Committee are still under consideration.

(b) Does not arise.

Fishing Boats

1377. **Shri V. P. Nayar:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether the question of constructing powered fishing boats in India has been studied in detail; and

(b) if so, the plans, if any, in view for fulfilment in the Second Plan?

The Minister of Food and Agriculture(Shri A.P.Jain):(a). No detailed study has been made. Twenty-four fishing boats have, however, been constructed under the Indo-Norwegian Aid Programme in the boat-building yard set up into the Project area. Some private yards are also constructing small powered boats. The F. A. O. Naval Architect, who has been working in India for the last two and half years, has designed some new types and trial fishing with prototypes of such boats is in progress.

(b) There is no specific plan prepared so far. The possibility of co-operatives taking up the work of boat-building with Government assistance can be explored when mechanised fishing has developed sufficiently.

Cashew Factories

1378. **Shri V. P. Nayar:** Will the Minister of **Labour** be pleased to state:

(a) the wage bills paid by the Cashew Factories in Travancore-Cochin State during the first Five Year Plan; and

(b) the bonus paid to workers during the same period ?

The Minister of Labour (Shri Khandubhai Desai): (a) The wage bills of registered Cashew Factories which had submitted returns during the first Five Year Plan period amounted to Rs.2,83,48,239 approximately.

(b) The bonus paid to the workers during the same period by the factories about which the information is available amounted to Rs. 15,63,519.

उदयपुर डिवीजन में सड़क का पुल

१३७९. **श्री बलवन्त सिंह मेहता :** क्या परिवहन मंत्री यह बताने की कृपा करेंगे कि :

(क) राजस्थान के उदयपुर डिवीजन में १९४८ से अब तक राष्ट्रीय राजपथ पर कितना सड़क पुल बनाये गये और उन पर कितना धन खर्च हुआ ;

(ख) कितने पुल और बनाने वाले हैं, और उनके स्थान क्या हैं ; और

(ग) उन पर कितना रुपया खर्च होने का अनुमान है ?

रेलवे तथा परिवहन मंत्री के सभा-सचिव (श्री शाहनवाज खां) : (क) से (ग). मांगी गई सूचना के बारे में एक विवरण सभा पटल पर रख दिया गया है [देखिये परिशिष्ट ११ अनुबन्ध सं० ५८]

राजस्थान में मीनक्षेत्र का विकास

१३८०. **श्री बलवन्त सिंह मेहता :** क्या खाद्य और कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि मीठे पानी की मछलियों में राजस्थान के जय समुद्र झील की मछली सब से अच्छी मानी जाती है ;

(ख) यदि हां, तो उसकी क्या विशेषतायें हैं ;

(ग) क्या इस मछली के बारे में अनुसंधान किया गया है ; और

(घ) नये बांधों में इस उद्योग को पनपाने के लिये क्या उपाय किये गये हैं ?

खाद्य और कृषि मंत्री (श्री अ० प्र० जैन) : (क) से (घ). जानकारी इकट्ठी की जा रही है और लोक सभा की टेबिल पर रख दी जायेगी ।

Ganga Bridge at Mokameh

1381. **Pandit D. N. Tiwary:** Will the Minister of **Railways** be pleased to state whether there has been any damage to the construction work on the Ganga at Mokameh by the recent flood in the Ganges ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): No damage worth mentioning has been caused by the recent floods. There have been slight local slips of the down stream toe of the North Bank as a result of waves raised by high winds striking against the closure bund. Such winds of velocities of above 40 miles per hour, frequently occur in this area and the damage is readily restored after such occurrences.

कोयला खानों में दुर्घटनायें

१३८२. **श्री बाल्मीकी** : क्या श्रम मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष, १९५३, १९५४, १९५५ और १९५६ में कोयला खानों में कितनी दुर्घटनायें हुईं ;

(ख) उन में कितनी जानें गईं ; और

(ग) कितना प्रतिकर दिया गया ?

श्रम मंत्री (श्री खंडूभाई देसाई) : (क) और (ख).

वर्ष	दुर्घटनाओं की संख्या		मृत व्यक्तियों की संख्या
	घातक	खतरनाक	
१९५३	२५७	२७४१	३३०
१९५४	२२१	२७४२	३२९
१९५५	२१५	२७८१	३०९
१९५६ (३१-७-५६ तक प्रोविजनल)	१०७	१४८१	१२३

(ग) सूचना जमा की जा रही है और सभा की मेज़ पर रख दी जायेगी ।

रेलवे सेवा

१३८३. **श्री बाल्मीकी** : क्या **रेलवे** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि रेलवे की नौकरियों में अनुसूचित जातियों के लिये निश्चित कोटा पूरा नहीं किया गया है ; और

(ख) यदि हां, तो सरकार ने इस कमी को पूरा करने के लिये क्या कार्यवाही की है ?

रेलवे तथा परिवहन मंत्री के सभासचिव (श्री शाहनवाज़ खां) : (क) तीसरे दर्जे की नौकरियों का कुल कोटा पूरा नहीं किया जा सका । चौथे दर्जे की नौकरियों का कोटा प्रायः पूरा है ।

(ख) रेलवे सर्विस कमीशनों और रेल-प्रशासनों को खास तौर पर हिदायत कर दी गई है कि वे इस बात का इत्मीनान कर लें कि आरक्षित कोटा पूरा हो जाय । रेलवे सर्विस कमीशनों को लिखा गया है कि अगर ज़रूरत हो तो अनुसूचित जाति के उम्मीदवारों का अलग से चुनाव करें। जनरल मैनेजरों से भी कहा गया है कि वे इस बात का ध्यान रखें कि आरक्षित कोटे में कमी न होने पाये ।

तम्बाकू

१३८४. **श्री बाल्मीकी** :
ठाकुर युगल किशोर सिंह :
श्री अस्थाना :
बाबू राम नारायण सिंह :
श्री देवगम :

क्या **खाद्य और कृषि** मंत्री यह बताने की कृपा करेंगे कि :

(क) पिछले दस वर्षों में तम्बाकू के उत्पादन में कितनी उन्नति हुई है ; और

(ख) क्या उत्पादन में उत्तरोत्तर कमी होती जा रही है ?

खाद्य और कृषि मंत्री (श्री अ० प्र० जैन) : (क) पिछले दस वर्षों में भारत में तम्बाकू के उत्पादन का एक विवरण सभा पटल पर रख दिया गया है [**देखिये परिशिष्ट ११, अनुबन्ध सं० ५९**]

(ख) जी, नहीं ।

रेलवे का स्वच्छता विभाग

१३८५. श्री वाल्मीकी : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि रेलवे के स्वच्छता विभाग में रिश्वत के कई मामले हो चुके हैं ;

(ख) क्या सरकार को इस सम्बन्ध में कोई शिकायत प्राप्त हुई है ; और

(ग) यदि हां, तो स्थिति का सुधार करने के लिये सरकार क्या कार्यवाही कर रही है ?

रेलवे तथा परिवहन मंत्री के सभासचिव (श्री शाहनवाज़ खां) : (क) से (ग). कभी-कभी सफाई विभाग के कर्मचारियों के खिलाफ़ शिकायतें आती हैं । उनकी जांच की जाती है और जब ज़रूरी जान पड़ता है, तो कार्यवाही की जाती है ।

Railway Corruption Enquiry Committeee

1386. **Shri Jhulan Sinha:** Will the Minister of **Railways** be pleased to state the action taken on the following recommendations of the Railway Corruption Enquiry Committee :

(i) Recommendation regarding the investigation into cases where the Officers' integrity is suspected; and

(ii) Recommendation regarding the cases of harassment of poor and illiterate villagers by Railway officers?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (i) Government have decided that when there is suspicion about an officer's integrity, he himself should be called upon to make a complete statement of his own property to be got verified by an independent agency like the Special Police Establishment. Investigation into his assets may also require investigation into the assets held by the members of his family and the resources of his relatives. Further, an officer who has acquired a reputation for corruption should not be kept in any position of responsibility. The decisions have been brought to the notice of the Railways for necessary action.

(ii) The reference is presumably to para 74 of the report in which rapacious Railway Staff are mentioned. The view of the Committee have been brought to the notice of Railway Administrations for action as recommended.

Family Planning Centres, Punjab

1387. **Shri D. C. Sharma :** Will the Minister of **Health** be pleased to state.

(a) the number of persons who are benefited from the Family Planning Centre in the State of Punjab, from the time of starting uptil now; and

(b) the amount of money spent on them during this period ?

The Minister of Health (Rajkumari Amrit Kaur) : (a) 3851 persons.

(b) Rs. 20,800/-

श्रीगंगानगर-जयपुर सीधी गाड़ी सेवा

१३८८. श्री प० ला० बारूपाल : क्या रेलवे मंत्री १५ मई, १९५६ के अतारांकित प्रश्न संख्या २०७५ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या यह सही नहीं है कि श्रीगंगानगर और जयपुर के बीच एक सीधा सवारी का डिब्बा लगाने के लिये यात्री पर्याप्त संख्या में हैं, परन्तु उनको जो टिकट दिये जाते हैं वे श्रीगंगानगर से हनुमानगढ़ और हनुमानगढ़ से राजगढ़ और राजगढ़ से लोहारू और लोहारू से जयपुर के होते हैं इस कारण टिकटों की संख्या के जो आंकड़े उपलब्ध हैं वह सही नहीं हैं ; और

(ख) क्या इस मामले पर फिर से विचार किया जायेगा ?

रेलवे तथा परिवहन मंत्री के सभासचिव (श्री शाहनवाज़ खां) : (क) श्रीगंगानगर और जयपुर के बीच रोजाना आने-जाने वाले

यात्रियों की औसत तादाद इतनी नहीं है कि इन दोनों स्टेशनों के बीच सीधा डिब्बा चलाया जा सके। जयपुर और श्रीगंगानगर के बीच सीधे टिकट जारी करने पर कोई पाबन्दी नहीं लगाई गई है।

(ख) ऊपर जो कुछ कहा गया है उसे देखते हुये सवाल नहीं उठता।

Eye Glass Banks

1389. Shri Gidwani : Will the Minister of **Health** be pleased to state:

(a) whether the attention of Government has been drawn to an item of news published in the press that an Eye Glass Bank has been opened in Bombay with a view to helping the poor and the needy having defective sights by collection of discarded spectacles of citizens, pass them through an expert hand for codification and then dispense them to the poor, free of charge; and

(b) whether Government propose to encourage opening of such Banks in other places in India?

The Minister of Health (Rajkumari Amrit Kaur) : (a) Yes.

(b) The question of encouraging the opening of such Eye Glass Banks in other places has not so far been considered by the Government.

रेलों की भिड़न्त

१३९०. **श्री रघुनाथ सिंह** : क्या रेलवे मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि २४ जुलाई, १९५६ को ३-१५ म० पू० पर बनारस कैन्ट स्टेशन पर गोरखपुर-इलाहाबाद एक्सप्रैस खड़ी मालगाड़ी से टकरा गई ; और

(ख) यदि हां, तो दुर्घटना का क्या कारण है और हताहतों की संख्या कितनी है ?

रेलवे तथा परिवहन मंत्री के सभासचिव (श्री शाहनवाज़ खां) : (क) २४-७-५६ को रात के १२-३० बजे जब ३७३ अप सवारी गाड़ी बनारस कैन्ट में लाइन नं० २ पर आ रही थी तो वह नं० ६५४ डाउन एक्सप्रैस मालगाड़ी से टकरा गई जो उस लाइन पर पहले से खड़ी थी।

(ख) इस दुर्घटना का कारण यह था कि ३७३ अप सवारी गाड़ी को जिसे लाइन नं० १ पर लेना था गलत कांटे लगाकर लाइन नं० २ पर लिया गया।

न कोई मरा और न किसी को गहरी चोटें आईं। एक आदमी को कुछ मामूली चोट आई।

Ticket Checking Staff

1391. Ch. Raghubir Singh : Will the **Minister of Railways** be pleased to refer to the reply given to Unstarred Question No. 758 on the 6th April, 1956 and state whether any decision has since been reached on the representations of Ticket Collectors and Travelling Ticket Inspectors in Jhansi Division on Central Railway regarding their promotion on the basis of seniority?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan) : The matter involves detailed examination and is still under consideration.

Railway School at Rayagada

1392. Shri Sanganna : Will the Minister of **Railways** be pleased to state:

(a) whether Government are aware that Oriya Section has not been opened in the Railway Elementary School at the Rayagada Railway Station on the S.E. Rly Zone, although guardians and parents of large number of Oriya boys and girls have applied for doing so and the Managing Committee at Titlagarh have approved it; and

(b) if so, the reaction of Government to it ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan) : (a) No, Sir. The Deputy Inspector of Schools, Rayagada has however, made a reference to the South Eastern Railway regarding the opening of an Oriya Section in the Rayagada Railway Primary School.

(b) The matter is under investigation by the South Eastern Railway Administration.

Railway Gangmen

1393. Shri Sadhan Gupta : Will the Minister of **Railways** be pleased to state:

(a) whether any case of corruption in connection with recruitment of Railway gangmen in the Adra District of S.E. Railway have been brought to the notice of the railway authorities by the railway employees or by any Trade Union; and

(b) if so, with what results ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) and (b). No specific case, such as could be substantiated, has been received by the Railway Authorities.

Train Examiners

1394. Shri N. B. Chowdhury : Will the Minister of **Railways** be pleased to state:

(a) whether the Railway Service Commission held any competitive Examination at Khargpur in 1952;

(b) if so, whether the apprentice Train Examiners selected on the basis of the said examination have since been confirmed in service; and

(c) if so, in what scales ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan) : (a) Yes.

(b) No.

(c) Does not arise.

Ex-Mysore State Railway

1395. Shri Madiah Gowda: Will the Minister of **Railways** be pleased to state:

(a) the amount of Reserve Fund, Depreciation Fund and other cash amounts handed over to the Government of India by *ex*-Mysore State Railway at the time of the merger; and

(b) how this amount has been utilized ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan):

(a) Reserve Fund	.	Nil
Depreciation Fund	.	Nil
Cash Balances	Rs.	9,24,138/5

(b) The cash balances actually remained with the *ex*-Mysore State Railway after merger and were utilised by that Railway with effect from 1-4-1950 for the purposes of that Railway.

Loco-Repairing Shop, Gauhati

1396. Shri Debendra Nath Sarma: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that vacancies caused by superannuation, death or other causes in the Gauhati Loco-Repairing shop, are not filled up locally; and

(b) if so, the reasons therefor ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) No.

(b) Does not arise.

Railway Workshop, Dibrugarh

1397. Shri K. P. Tripathi: Will the Minister of **Railways** be pleased to state:

(a) whether the apprentice school in Dibrugarh Railway Workshop is being closed; and

(b) if so, the reasons therefor ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) No.

(b) Does not arise.

Private Colonies in Delhi

1398. Shri Bhookha Bhai: Will the Minister of **Health** be pleased to state:

(a) whether it is a fact that the Delhi Development (Provisional) Authority has approved lay-out plans of private colonies of Delhi for construction of new houses; and

(b) if so, whether the said Authority has approved the lay-out plan of the Triloki Colony ?

The Minister of Health (Rajkumari Amrit Kaur): (a) The Delhi Development (Provisional) Authority has approved only those lay-out plans for development of land or constructiono f houses which were in conformity with the standards laid down by that Authority.

(b) It has not been approved so far, as the plan submitted to the Authority did not provide sufficient land for schools and open parks.

Wagon Factory at Santragachi

1399. Shri N. B. Chowdhury: Will the Minister of **Railways** be pleased to state:

(a) whether the proposal to set up a wagon making factory at Santragachi in the district of Howrah in West Bengal has been finalised; and

(b) if so, the details of the scheme?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) and (b). A Firm who have submitted their proposals to the Commerce & Industry Ministry and Railway Equipment Committee for setting up a wagon factory at Santragachi have been selected for placing an educational order.

The Firm has been allowed to develop an annual capacity of 1,000 wagons.

Trains between Nirmali and Palezaghat

1400. Shri Shree Narayan Das: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that some twenty-five members of Bihar Legislative Assembly submitted a joint representation to him for the introduction of a through train between Nirmali and Palezaghat and *vice versa* on the North-Eastern Railway as also for some suitable changes in the train timings on the Darbhanga-Nirmali Jainagar Section on the same Railways;

(b) the nature of decision taken;

(c) the maximum and minimum time taken by a passenger from Patna to Nirmali and *vice versa*; and

(d) the reasons for not providing any through train between Nirmali and Palezaghat?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) Yes.

(b) There is no traffic justification for a through train between Nirmali and Palezaghat. It is not feassible to implement the suggestions made regarding changes in the timings of trains on the Nirmali-Darbhanga section as it would result in the trains concerned missing connections at Darbhanga, Samastipur etc.

(c) The maximum and the minimum journey time from Nirmali to Patna is 16 hours and 55 minutes and 15 hours and 40 minutes respectively. In the reverse direction, it is 16 hours 10 minutes and 14 hours and 20 minutes respectively.

(d) Lack of traffic justification.

Timings of Awadh Tirhut Mail

1401. Shri Shree Narayan Das: Will the Minister of **Railways** be pleased to state:

(a) whether the question of changing the timings of Awadh Tirhut Mail running at present from Lucknow to Siliguri and *vice versa* on the N. E. Railway to correspond with the timings of Delhi-Lucknow Express running at present from Lucknow to Delhi and *vice versa* on the Northern Railway has been considered or is being considered; and

(b) if so, the nature of decision taken or proposed to be taken?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) Yes.

(b) With effect from 1-10-56, Nos. 301/302 Avadh Tirhut Mail trains, which are at present running between Lucknow and Siliguri, will be retimed and extended to run to and from Kanpur Anwarganj, providing fast immediate connections at Lucknow with Nos. 303 Up/304 DownLucknow-Delhi Express trains and at Kanpur Central with Nos. 69Up Janata Express and No. 66Down Delhi-Howrah Express trains.

सवारी गाड़ी के डिब्बों का सुरक्षित करना

१४०२. श्री खू० चं० सोधिया : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) ३१ मार्च, १९५६ को विभागीय अफसरों के लिये सुरक्षित सवारी गाड़ी के डिब्बों की कुल संख्या कितनी थी ;

(ख) इस प्रकार डिब्बे सुरक्षित करने की प्रथा किन-किन श्रेणियों के अधिकारियों के लिये है, और कब से प्रचलित है और रेलवे कानून की किस धारा के अनुसार है ;

(ग) क्या इस प्रथा में कभी कोई संशोधन किया गया था ;

(घ) यदि हां, तो कब और किस प्रकार का ; और

(ङ) यदि नहीं, तो क्या सरकार अब कोई संशोधन करना चाहती है ?

रेलवे तथा परिवहन मंत्री के सभासचिव (श्री शाहनवाज खां) : आम तौर पर रेलवे अफसरों (Departmental Officers), के लिये सवारी डिब्बे आरक्षित नहीं किये जाते ।

(ख) से (ङ). सवाल नहीं उठता ।

मकेरिया-आम और उज्जैन स्टेशन के बीच सवारी गाड़ी के डिब्बे

१४०३. **श्री राधे लाल व्यास** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) उज्जैन-आगर रेलवे लाइन पर मकेरिया-आम और उज्जैन स्टेशन के बीच सवारी गाड़ी के डिब्बों का आना जाना क्यों बन्द कर दिया गया है ;

(ख) क्या यह सच है कि यात्रियों को ले जाने वाले तीन चार डिब्बों को बन्द कर दिया गया है जब कि इंजन, गार्ड का डिब्बा, पानी के टैंक का वैगन और माल के डिब्बों का आना जाना अब भी जारी है ;

(ग) क्या मकेरिया-आम और उज्जैन स्टेशन के बीच सवारी गाड़ी के डिब्बों को पहले की ही भांति चलाने के लिये कोई अभ्यावेदन प्राप्त हुये हैं ; और

(घ) यदि हां, तो उन पर क्या निर्णय किया गया है ?

रेलवे तथा परिवहन मंत्री के सभासचिव (श्री शाहनवाज खां) : (क) जनता की मांग पर मकेरिया-आम और उज्जैन के बीच सवारी गाड़ियों का चलना १-४-५६ से इसलिये बन्द कर दिया गया कि ये गाड़ियां घनी बस्तियों से हो कर गुजरती थीं । इसके अलावा सिंहास्थ मेले के अवसर पर उज्जैन की सड़कों पर अधिक भीड़ होने का भी अन्देशा था ।

(ख) जी हां, रात को दो से तीन बजे तक, ताकि घनी आबादी वाले इलाके में सड़क यातायात में रुकावट न पड़े । ऐसा इसलिये किया गया है कि ताकि मकोरिया-आम में पानी की कमी न हो और उज्जैन हो कर माल की बुकिंग भी होती रहे । इसलिये माल-डिब्बों का आना जाना जारी रहा ।

(ग) जी, हां ।

(घ) इस पर राज्य सरकार की सलाह से विचार किया जा रहा है ।

राजस्थान की अभ्रक खानें

१४०४. **श्री बलवन्त सिंह महता** : क्या श्रम मंत्री यह बताने की कृपा करेंगे कि :

(क) राजस्थान के अभ्रक की खानों में कुल कितने मजदूर काम करते हैं ;

(ख) उन्हें प्रति दिन क्या मजूरी दी जाती है ;

(ग) साल में कितने दिन वह काम पर रहते हैं ; और

(घ) उनके लिये रविवार की छुट्टी का वेतन और भविष्य निधि की क्या व्यवस्था है ?

श्रम मंत्री (श्री खांडूभाई देसाई) : (क) और (ख). सूचना नीचे दी जाती है :—

	१९५५ में काम करने वाले व्यक्तियों की दैनिक औसत संख्या	दिसम्बर, १९५५ में दैनिक औसत वेतन
१		२
जमीन के नीचे :		रु० आ० पा०
फोरमैन या मेठ	२००	१ १३ ४
खनिक	१५३६	१ ३ ९
कुशल कामगर	३७९	१ ६ १०
अकुशल कामगर	५५१	१ २ ०
जोड़	२६६६	

१	२			
		रु०	आ०	पा०
खुले स्थान में :				
फोरमैन या मेठ	१४०	१	९	८
खनिक	९४३	१	३	५
कुशल कामगर	३४३	१	४	५
अकुशल कामगर	२०७	१	१	२
स्त्रियां	२५३	०	१३	०
जोड़	१८८६			
सतह पर				
कलर्क आदि	३००	२	११	४
कुशल कामगर	३९७	१	११	५
अकुशल कामगर	१५९	१	६	३
स्त्रियां	२४६	०	१२	७
जोड़	११०२			
कुल जोड़	५६५४			

(ग) प्रत्येक कामगर ने साल में कितने दिन काम किया, यह मालूम नहीं है ।

(घ) इन कामगरों पर अभी इम्प्लाईज़ प्रोविडेंट फंड योजना लागू नहीं है । यह मालूम नहीं है कि इन खानों में से किसी की अपनी कोई प्रोविडेंट फंड योजना है या नहीं । अभ्रक खानों के कामगरों को खान कानून, १९५२ के अधीन हफ्ते में किसी भी दिन साप्ताहिक छुट्टी पाने का हक है ।

जावर खान

१४०५. **श्री बलवन्त सिंह मेहता** : क्या श्रम मंत्री यह बताने की कृपा करेंगे कि :

(क) जावर की खानों में कुल कितने मजदूर काम करते हैं ;

(ख) उन में से सीसा और जस्ता निकालने में अलग-अलग कितने-कितन मजदूर काम करते हैं ;

(ग) उनकी प्रति दिन की मजदूरी क्या है ;

(घ) खान के नीचे काम करने वाले मजदूरों की मजूरी क्या है ;

(ङ) क्या उन्हें रविवार की छुट्टी का वेतन दिया जाता है ; और

(च) उनकी भविष्य निधि के बारे में क्या व्यवस्था है ?

श्रम मंत्री (श्री खंडूभाई देसाई) : (क) से (घ). सूचना नीचे दी जाती है :

	१९५५ में दिसम्बर, काम करने वाले मजदूरों की दैनिक औसत संख्या	१९५५ में दैनिक औसत वेतन		
		रु०	आ०	पा०
जमीन के नीचे				
फोरमैन और मेठ	२५	६	१३	४
खनिक	५९	२	३	३
कुशल कामगर	४२	२	१४	११
अकुशल कामगर	१८८	१	१०	७
जमीन के नीचे काम करने वालों की संख्या	३१४			
सतह पर				
कलर्क आदि और देख-रेख करने वाले कर्मचारी	५४	५	१०	८
कुशल कामगर	१४१	२	१०	१
अकुशल कामगर	२००	१	७	३
स्त्रियां	२५	०	१५	८
सतह पर काम करने वालों की संख्या	४२०			
कुल जोड़	७३४			

सीसा और जस्ता निकालने वाले मजदूरों की अलग-अलग संख्यायें इस समय प्राप्त नहीं है ।

(ङ) मार्च, १९५५ की निरीक्षण रिपोर्ट के अनुसार खानों में सोमवार को साप्ताहिक छुट्टी होती है । यह सवेतन छुट्टी होती है या नहीं यह मालूम नहीं है । खान कानून के अधीन साप्ताहिक छुट्टी का वेतन देना जरूरी नहीं है ।

(च) इस समय यह मालूम नहीं है कि इन खानों में कोई प्रोविडेन्ट फंड योजना चालू है या नहीं ।

Refrigerator Vans

1406. **Shri Kajrolkar:** Will the Minister of **Railways** be pleased to State:

(a) whether the Ministery of Food and Agriculture had asked for facilities to be accorded with refrigerator vans for transport of fish and meat in Railways; and

(b) if so, the result thereof?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) and (b). The question of providing refrigerated transport for fish traffic was discussed at a meeting held in April, 1954 between the representatives of Ministeries of Food & Agriculture and Railways and it was decided that, in the matter of develpment of refrigerated transport, the scheme should be sponsored by the Food and Agriculture and other Ministries concerned and that the Railway Ministry should render all possible assistance. Accordingly, the Ministry of Food & Agriculture have arranged to procure 4 B. G. and 2 M. G. refrigerated rail vans under the Indo-American Technical Assistance Programme (1956). They are also considering the question of procuring two more refrigerated vans from their own funds for the movement of fish traffic. A meeting is to be held shortly between the representatives of the Ministries of Food & Agriculture and Railways to finalise the operational and other connected aspects of the scheme in advance of the arrival of the refrigerated vans in India.

Indian Central Sugar Committee

1407. **Shri Bibhuti Mishra:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether it is a fact that a meeting of the Mycological sub-Committee of the Indian Central Sugar Committee was held at Poona about the 20th August 1956 to discuss the problems of new diseases of sugarcane; and

(b) if so, whether the Committeee discussed suitable remedies for sugarcane diseases such as rust etc.?

The Minister of Food and Agriculture (Shri A. P. Jain): (a) and (b) Yes Sir. As no effective remedy for controlling rust has so far been found out, the sub-Committee has recommended cultivation of only such varieties of Cane which are rust resistant and also avoidance of September-October sowings which are more susceptible to rust attacks. The sub-Committee has also recommended a comprehensive programme for undertaking effective control measures against red-rot and smut diseases.

Postal Employees' Quarters at Birpara

1408. **Shri H. N. Mukerjee :** Will the Minister of **Communications** be pleased to state :

(a) whether he has received complaints regarding the accommodation provided for postmen and Class IV officials at Birpara, District Jalpaiguri, West Bengal,

(b) whether it is a fact that the said quarters are the property of a certain tea estate; and

(c) whether steps will be taken for improving the position?

The Minister in the Ministry of Communications (Shri Raj Bahadur): (a) Yes. There have been complaints from the occupants of the quarters regarding their unsatisfactory condition.

(b) Yes. The quarters have been provided by the local Tea Estate free of rent.

(c) Yes. The question of securing a suitable plot of land from the Tea garden authorities for construction of quarters for the entire staff attached to Birpara Post Office is under consideration.

Railway Employees' Travelling without Tickets

1409. **Shri U. M. Trivedi :** Will the Minister of **Railways** be pleased to state :

(a) whether instructions have been issued to the Ticket Checking Staff on the Eastern Railway and Northern Railway that railway servants found travelling without tickets shall not be produced before Magistrates;

(b) whether it is a fact that their circular further states that a person found travelling without ticket along with a Railway servant shall also be not prosecuted; and

(c) whether it is a fact that such Railway employee having no money even to pay his charges be also only removed from the train and shall not be prosecuted?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan) : (a) to (c). Yes. Specific instructions on those lines had been issued by the old East Indian Railway and are in force over the Eastern Railway and the Moradabad, Allahabad, and Lucknow Divisions of the Northern Railway.

द्वितीय पंच वर्षीय योजना में रेलवे कार्यक्रम

१४१०. **श्री अमर सिंह डामर** : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) द्वितीय पंच वर्षीय योजना में पश्चिम रेलवे के किन-किन स्टेशनों पर क्या-क्या काम होने वाले हैं ;

(ख) उन स्टेशनों के नाम क्या हैं; और

(ग) १९५६–५७, १९५७–५८, १९५८–५९, १९५९–६० और १९६०–६१ में किन-किन स्टेशनों पर विभिन्न प्रकार के काम किये जाने वाले हैं ?

रेलवे तथा परिवहन मंत्री के सभा-सचिव (श्री शाहनवाज खां) : (क) से (ग). शायद माननीय सदस्य का मतलब उन कामों से है जो रेल का उपभोग करने वालों की सुविधा के लिए किये जाते हैं। इन कामों का फैसला हर साल रेल उपभोक्ता सलाहकार-समिति की सलाह से किया जाता है।

स्टेशनों के नाम और उन पर जो काम १९५६–५७ में किया जाना है उसका फैसला हो चुका है। लेकिन १९५७–५८ का कार्यक्रम अभी तैयार किया जा रहा है। १९५६–५७ में जो काम किये जायेंगे उनकी सूचना सभा पटल पर रख दी गई है। [पुस्तकालय में रखा गया देखिये सं० एस–४२०/५६]

नर्मदा नदी पर पुल

१४११. **श्री अमर सिंह डामर** : क्या परिवहन मंत्री यह बताने की कृपा करेंगे कि :

(क) मध्य भारत और मध्य प्रदेश की सीमा पर पश्चिम रेलवे की छोटी लाइन के ओंकारेश्वर स्टेशन के पास नर्मदा नदी पर पुल बनाने का ठेका कब दिया गया था; और

(ख) इस पुल के बनाने के लिये कितनी अवधि रखी गई थी ?

रेलवे तथा परिवहन मंत्री के सभा-सचिव (श्री शाहनवाज खां) : (क) २७ मई, १९५२।

(ख) ठेका पूरा करने की असली तारीख ३१ मई, १९५४ थी जो कि मई १९५६ के अन्त तक बढ़ा दी गई थी। इस मियाद को जून, १९५७ के अन्त तक और बढ़ाने की मंजूरी का प्रश्न राज्य सरकार के विचाराधीन है।

बचत बैंक में जमा राशियां

१४१२. **श्री जू० चं० सोंधिया** : क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) डाकघर के बचत बैंक लेखे में ३१ मार्च, १९५५ और १९५६ को अलग-अलग कुल कितनी राशि जमा थी; और

(ख) इन दो वर्षों में ऐसे कितने लेखे थे जिनके जमा करने वाले या उनके वारिसों के न होने के कारण जमा की गई राशियां सरकार के खाते में जमा कर दी गई और यह राशियां कितनी-कितनी थीं ?

संचार मंत्रालय में मंत्री (श्री राज बहादुर) : (क) विवरण-पत्र जिसमें मांगी हुई सूचना दी गयी है निम्नलिखित है :

वर्ष	जमा रकमों की कुल राशियां
	(अंक हजारों में)
३१ मार्च १९५५	१,४२,६४,७६
३१ मार्च १९५६	१,५२,२३,३६

(ख) कोई नहीं । बचत बैंक लेखों में जमा की हुई धन-राशि का न तो व्यपगमन (lapse) होता है और न जमा करने वालों या उनके उत्तराधिकारियों के न होने की स्थिति में सरकार के हिसाब में ही जमा की जाती है । मूल-धन और जो उस पर ब्याज उपलब्ध हुआ हो वह धन-राशि, मांगे जाने पर किसी समय भी जमा करने वाले या उसके वैध (legal) उत्तराधिकारी को दे दी जाती है ।

इस विषय में डाक-घर बचत बैंक नियम ३६ तथा उसके नीचे दिये नोट--१ की नकल निम्नलिखित है ।

"निष्क्रिय लेखे (Dead Accounts)

(३६) ऐसा लेखा जिस पर पूरे छः वर्षों से कोई लेन-देन नहीं हुआ है, निष्क्रिय समझा जायगा और मुख्य पोस्ट मास्टर के पूर्व आदेश के बिना उस में न कोई रक़म जमा की जा सकती है, और न उससे कोई रक़म निकाली ही जा सकती है ।

नोट १—निष्क्रिय सरकारी खाते का व्यपगमन नहीं होता है । रुपया जमा करने वाले व्यक्ति के आवेदन-पत्र देने पर वह लेखा किसी भी समय फिर से चालू किया जा सकता है और उस लेखे में जमा रक़म का जितना ब्याज होगा वह फिर से लेखा खोलने के समय मूलधन में जोड़ दिया जायगा ।"

Post Offices (Punjab and P.E.P.S.U.)

1413. { **Sardar Iqbal Singh :** **Sardar Akarpuri:**

Will the Minister of **Communications** be pleased to state :

(a) the number of villages or groups of villages in Punjab and P.E.P.S.U. with a population of more than 2,000 which are without a post office; and

(b) whether any steps have been taken to provide postal facilities to such villages?

The Minister in the Ministry of Communications (Shri Raj Bahadur):

(a) There is no village in Punjab and P.E.P.S.U. with a population of more than 2,000 which is without a post office As regards groups of villages with a population of more than 2,000 , the number depends on different combinations of villages in an area and radius within which they are grouped. However, the target for opening post offices on a grouping basis set for the First Five Year Plan was reached.

(b) Villages grouped together in a larger radius in sparsely populated areas will be provided with post offices to improve postal facilities.

Central Rice Research Institute

1414. **Shri S. C. Samanta :** Will the Minister of **Food and Agriculture** be pleased to state:

(a) in how many divisions of the Central Rice Research Institute, Cuttack research works are carried out and what are they;

(b) how many experts are working in each of these divisions; and

(c) whether the experts working there visited other important research Stations of rice research in the country during the last two years?

The Minister of Food and Agriculture (Shri A. P. Jain) : (a) The Central Rice Research Institute carries on its research activities through its following 6 divisions :—

1. Botany.
2. Agronomy.
3. Plant Pathology.
4. Agricultural Entomology.
5. Agricultural Chemistry.
6. Statistics.

(b) There is one Expert in-charge of each Division. He is assisted by other tehnical staff.

(c) Yes. Research workers of the Institute visit State Research stations wherever Reserach problems are under investigation, whenever necessary.

Contributory Health Service Scheme

1415. **Dr. Satyawadi :** Will the Minister of **Health** be pleased to state:

(a) the number of those Central Government employees who have so far been issued necessary token cards regarding the Contributory Health Scheme and the total number of the Contributors: and

(b) the number of employees who have not been given such token cards so far although their contributions have regularly been made and the reason therefor?

The Minister of Health (Rajkumari Amrit Kaur) : (a) The total number of contributors on 22nd August, 1956 was 88,216 and all of them were issued token cards.

(b) Does not arise.

Central Health Service

1416. { **Shri Kajrolkar :**
Sardar Iqbal Singh:

Will the Minister of **Health** be pleased to state the number of posts allotted to each Ministry under the Central Health Service and the designation of each such post ?

The Minister of Health (Rajkumari Amrit Kaur) : The Central Health Service will consist of all Class I and Class II posts under the various Ministries, except the Ministries of Railways and Defence. As all the existing and future posts of the above categories will form part of the service, the question of allotting any specified number of posts to a particular Ministry does not arise.

Railway Corruption Enquiry Committee

1417. **Shri Debendra Nath Sarma:** Will the Minister of **Railways** be pleased to state :

(a) whether in pursuance of the recommendation of the Railway Corruption Enquiry Committee Station Consultative Committees will be constituted; and

(b) if so, how many such Committees will be constituted in the Pandu Region of the North Eastern Railway and for which Station?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a)Yes at every important industrial or commercial centre.

(b) Six, one each at the following stations;

Katihar
Siliguri
Cooch Behar
Gauhati
Tinsukia
Silchar.

Railway Fares

1418. { **Shri Dhusiya :**
Shri D. C. Sharma:

Will the Minister of **Railways** be pleased to state :

(a) whether the Railway fare which is charged from a passenger in each class means only transit charges or includes amenities also; and

(b) if so, the proportion between the two?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a)The Railway fare charged from a passenger in each class is meant to cover not only the transit charges but also the provision of such amenities as are usually provided for use without payment of any additional charges.

(b) It is not possible to work out the proportion between the two.

शाजापुर में डाक और तार घर

१४१६. **श्री भ० न० मालवीय** : क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) मध्य भारत के शाजापुर नगर में डाक तथा तार विभाग के लिये जो नई इमारत बनाने का विचार ३ साल पहले था उसका निर्माण-कार्य शुरू न करने के क्या कारण हैं;

(ख) इस इमारत के निर्माण का कार्य कब से शुरू होगा; और

(ग) क्या ऐसे विकास-कार्य पूरी तरह से विभागीय कर्मचारियों को सौंपे जाते हैं ?

संचार मंत्रालय में मंत्री (श्री राज बहादुर) : (क) लगभग १½ साल हुआ इस डाक-घर के लिए ज़मीन मिल गयी थी, परन्तु केन्द्रीय सरकारी निर्माण विभाग (C.P.W.D.) द्वारा नक्शों की तैयारी, उनकी छान-बीन तथा उनको अन्तिम रूप देने में और फिर उसके बाद उक्त विभाग द्वारा प्राक्कलन (Estimates) की तैयारी में अब तक समय लग गया है ।

(ख) इस योजना की मन्जूरी के बारे में कारवाई की जा रही है । और फिर कोशिश की जायगी कि जितनी जल्दी हो सके काम प्रारम्भ कर दिया जाय ।

(ग) ऐसे काम केन्द्रीय सरकारी निम विभाग द्वारा किये जाते हैं ।

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LOK SABHA

Thursday, 6th September, 1956

The Lok Sabha met at Ten of the Clock

[MR. SPEAKER *in the Chair*]

QUESTIONS AND ANSWERS

(See Part I)

11-4 A.M.

PAPER LAID ON THE TABLE

REPORT CONTAINING INSTRUCTIONS ISSUED TO RAILWAYS ABOUT INSPECTION OF BRIDGES

The Minister of Railways and Transport (Shri Lal Bahadur Shastri): I beg to lay on the Table of the House a copy of the Report containing instructions issued to Railways about inspection of bridges. [*Placed in Library. See No. S—380/56*]

PETITION *RE* CHILD SANYAS DIKSHA RESTRAINT BILL

Secretary: Sir, under Rule 179 of the Rules of Procedure and Conduct of Business in the Lok Sabha, I have to report that a petition as per statement laid on the Table has been received in respect of the Child Sanyas Diksha Restraint Bill, 1956 by Shri Fulsinhji B. Dabhi, which was introduced on the 6th April, 1956.

Statement

Petition in respect of the Child Sanyas Diksha Restraint Bill, 1956 by Shri Fulsinhji B. Dabhi, which was introduced on the 6th April, 1956.

No. of Signatories	District or Town	State	No. of Petition
118	Delhi	Delhi	72

ELECTION TO COMMITTEE

INDIAN COUNCIL OF AGRICULTURAL RESEARCH

The Minister of Agriculture (Dr. P. S. Deshmukh): I beg to move:

"That in pursuance of Rule 2(6) of the Rules of the Indian Council of Agricultural Research, read with Rules 6(2) and 6(6) thereof, the members of this House do proceed to elect, in such manner as the Speaker may direct, one member from among themselves to be a member of the Indian Council of Agricultural Research *vice* Dr. Indubhai B. Amin resigned from Lok Sabha."

Mr. Speaker: The question is:

"That in pursuance of Rule 2(6) of the Rules of the Indian Council of Agricultural Research, read with Rules 6(2) and 6(6) thereof, the members of this House do proceed to elect, in such manner as the Speaker may direct, one member from among themselves to be a member of the Indian Council of Agricultural Research *vice* Dr. Indubhai B. Amin resigned from Lok Sabha."

The motion was adopted.

INDIAN TARIFF (AMENDMENT) BILL*

The Minister of Trade (Shri Karmarkar): I beg to move for leave to introduce a Bill further to amend the Indian Tariff Act, 1934.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Indian Tariff Act, 1934."

The motion was adopted.

Shri Karmarkar: I introduce** the Bill.

CONSTITUTION (NINTH AMENDMENT) BILL—*contd.*

Clauses 17 to 20

Mr. Speaker: The House will now take up further clause-by-clause consideration of the Bill further to amend the Constitution of India, as reported by the Joint Committee. Clauses 17, 18, 19 and 20 will be taken up. The time allotted for this group is 1½ hours. Hon. Members will kindly pass on chits indicating the number of amendments they want to move.

Shri K. K. Basu (Diamond Harbour): Clause 17 primarily deals with the provision in respect of the governance of the Union territories. I am glad the hon. Home Minister while moving for the consideration of this Bill the other day has given certain suggestions indicating the lines on which the future set-up of the Union territories is likely to be formed. It is true that he has suggested, if I may say so, a very diluted form of representative Government.

When the Parliament is given full powers, we expected that a comprehensive scheme will be suggested by which these Union territories will have a fully representative Government with certain restrictions on financial powers and law and order for a period of 4 or 5 years. We for ourselves would have wished to see that all the Union territories have the same status as any other State in India; but unfortunately, the Government of the day, for reasons best known to themselves, have found it convenient not to give these democratic rights. After five years of working of the Constitution and after nearly nine years of freedom, we thought there would not be any part of India which would receive a treatment different from any other part. Therefore, we would have very much liked that the hon. Minister had given a scheme by which all the Union territories would have more or less the same status as any other part of India. However, he has given, as I said earlier, a representative government in a very diluted form. Even then, the same has not been fully worked out. Even though he said he would like to allot some portfolios to the advisers who would help the administrators that would be entrusted with the administration of the Union territories, he has not made up his mind whether the portfolios should be given, though we said we very much wished it should be done. We wish that in consultation with the representatives of the Union territories who are here or who will come in future, he should chalk out a plan, so that immediately with the formation of the new States, the Union territories will have a representative Government. In the case of certain regions, on the basis of a formula arrived at between the Government and some parties belonging to that particular State, regional committees are going to be formed in respect of Punjab and Andhra Pradesh. I find today that for the bigger State of Bombay also, they are going to have some such thing. We wish in the case of Union territories, all these problems of local self-government, health, education, cottage industries and everything other than law and order

*Published in the Gazette of India Extraordinary, Part II, Section 2, dated 6-9-56.

**Introduced with the recommendation of the President.

and possibly certain restricted rights regarding finance, should be entrusted to those people. It is absolutely necessary for us to enthuse the people in working out the plans for the development of the particular area, specially education, public health and local self-government and even the cottage industries and the other economic activities in the distant places like Tripura and Manipur. They should have some say in the working out of the plans because we know fully well that though Parliament has been directly in charge of the administration we pay little attention to them. How many hours do we allot for discussing their affairs in a year? Even if we put questions, they form part of the list along with the problems connected with the entire country and so naturally we cannot give the same amount of attention as it deserves because of our direct responsibility for the administration of these areas.

But my amendment is more pointed and it is in respect of the provision regarding the new proposed article 240 which deals with the administration of the Union territories, Andaman and Nicobar and the new island group of Laccadive and Minicoy. We are glad that the Home Minister has yesterday conceded that even Laccadive will have a representative in the Lok Sabha. But my amendments, amendments Nos. 20 and 21 to clause 17, are very specific. In the proposed new article 240 of the Constitution they have more or less adopted the principle that is embodied in the administration of Part D States. In the case of Andaman and Nicobar islands, the administration will be through regulations made by the President. I only have added a provision that there should be a standing committee of Parliament to advise the President because the danger is that the President, being the Constitutional head, will naturally act on the advice of the Minister and we know fully well that the States Minister and the Home Minister being the same person and because there is so much of problem to be tackled for the whole of India, the real administration of those territories will fall on the Chief Commissioner or some Secretary in the Department of the Government. Therefore, what I say is that when the Parliament has direct responsibility of administering those areas, though the President has been given the power through regulation to administer the particular Union territories, there should be a standing committee of Parliament to advise the Government and the President if they so require and at least there should be some discussion because we know that even in the case of those States where we have President's rule—now we are having it in Travancore-Cochin; we had it earlier in the State of PEPSU—we always have a Parliamentary standing committee to advise the Government, specially in the making of laws. Under the powers given to him, even the laws made by Parliament can be altered or modified by the President, naturally on the advice of the Government or the advice of the executive. So the President is given the powers to modify a parent Act—if I may be permitted to use the expression—passed by the Parliament.

Every part of India should have the same administration as is prevalent in any other part, especially in the case of democratic set-up. But, unfortunately, for certain reasons the Government thinks that those areas, the Andamans and Laccadives, cannot be governed the same way as even the other Union territories and the President is authorised to make regulations which have the force of modification or amendment of the laws passed by Parliament. Therefore, I suggest that there should be a standing committee, as is usually the case when the President directly administers any particular State of India because of the failure of the constitutional machinery as we have,

[Shri K. K. Basu]

at the present moment, in Travancore-Cochin; we had it earlier in the State of PEPSU. My suggestion is very simple. After all, the power of the standing committee of Parliament is of an advisory character and is not binding.

Then, my amendment No. 21 says that there should be the addition of sub-clause (3) to article 240. I want to add sub-clause (3) to article 240. Sub-clause (2) of article 240 reads:

> "(2) Any regulation so made may repeal or amend any Act made by Parliament or any existing law which is for the time being made applicable to the Union territory and, when promulgated by the President, shall have the same force and effect as an Act of Parliament which applies to that territory.

So, a parliamentary Act can be modified by the executive fiat by issuing a regulation in the name of the President, of course, on the advice of the Government which practically is the advice of the executive machinery. My amendment seeks the addition of sub-clause (3) which reads:

> "(3) All regulations made under the aforesaid clause (2) shall be laid before the Houses of Parliament within a week of their promulgation if the Houses are sitting or within a week after their reassembly for not less than thirty days and shall be subject to such modifications as Parliament may make and such modifications shall have the force and the effect of an Act of Parliament."

I am not, for a moment, disputing the necessity of the Government to have these powers to administer these areas by the method of presidential regulation. But even the presidential regulation should be subject to the right of Parliament for approval or revision. For instance, in the case of rules made in pursuance of Acts, they are laid on the Table of the House and the Parliament, as the supreme body, has the right to modify them. In this case, certainly the President has the power to issue regulations. But what we say is that Parliament being the sovereign body in our country, any presidential regulations that may be issued for the governance of the particular Union territory, which naturally have the effect of repealing or modifying or amending the laws of Parliament, should be laid before Parliament and the Parliament will naturally take into consideration whether the President's regulations should also be modified in the interest of the good governance of the particular Union territory. Naturally, parliamentary modification should be supreme and will be applicable to the territory as opposed to the President's regulation. I hope the Government and the Minister will concede this because in the case of the rules that have been made during the last one year and half we have made it absolutely necessary, even mandatory, that they must be laid before Parliament and Parliament has the right to modify them. Sir, you yourself have appointed a Committee on Subordinate Legislation to go into all the rules and see whether the power has been correctly used. In this case also I suggest that they may be referred to a committee like the Committee on Subordinate Legislation, which can consider whether the regulations should be modified.

These places being far away, off the mainland, the Ministry will naturally act on the advice of the Chief Commissioner or the executive officer. The supremacy of the Parliament has to be maintained at all costs and when the President's regulations are being imposed, I only seek to move an amendment which authorises the Parliament to sit on judgment, if it so desires, on the regulation which may modify any parliamentary law and if Parliament makes a regulation that shall have the effect

of law in preference to the President's regulation. I hope the Home Minister will consider it from the point of view of parliamentary supremacy as Parliament has responsibility for the administration of India including the Union territories and all laws made by the President, all regulations issued by executive fiat in the name of the President, must be subordinate to the laws of Parliament.

Shri N. C. Chatterjee (Hooghly): My amendment No. 110 reads:

Page 9—

after line 42, *add*:

"(3) Parliament may by law create or continue for any Union territory, and administered through a Lieutenant Governor, Administrator or other authority

(a) a body, whether elected or nominated or partly elected and partly nominated to function as a Legislature for that Union territory; or

(b) a Council of Ministers or Advisers or both with such constitution, powers and functions, in each case as may be specified in the law.

(4) Any such law as is referred in clause (3) shall not be deemed to be an amendment of the Constitution for the purpose of Article 368, notwithstanding that it contains any provision which amends or has the effect of amending the Constitution".

If you look at article 240 of the Constitution, as it stands at present, it will be seen that I have tried to incorporate the provisions of that article in this clause. Article 240 of the Constitution deals with the creation or continuance of local legislatures and a council of advisers or Ministers. I said yesterday, and I repeat today that to deny to the people of this historic city of Delhi the benefits of popular Government at State level would be a retrograde step. It will not be fair to this historic city of Delhi and to the people of Delhi to invoke the precedent of Canberra or Washington, because the capitals of the United States or Canada or Australia are denied the benefits of self-government, Delhi should follow suit. I am submitting that the legal position of the residents of District Columbia in the U.S.A. which means really the disenfranchisement of the population there, should not be the model here and we should do our best to treat Delhi on a separate footing. Generally, I share the feeling of my hon. friend Shri K. K. Basu that, as far as possible, we should try to set up popular institutions everywhere, in every Union territory. I recognise that the position of the Delhi State was peculiar and anomalous. We had not merely set up dyarchy as the S.R.C. pointed out. The States Reorganisation Commission says:

"The present set-up of Delhi State, it may be stated, is even more anomalous than that of other Part C States in that, within the narrow ambit of powers delegated to these States, the legislative authority of Delhi is subject to certain special limitations."

The Delhi State is supposed to have some kind of self-government. But, it does not include law and order; it does not include local self-government; it does not include the Improvement Trust and other statutory bodies regulating certain public utility services in Delhi. They say that this dyarchical structure needs revision. Really, an important paper this morning has said that there was triarchy in the Delhi State. We know when the Montague-Chelmsford reforms were ushered in, we heard of the word dyarchy. I am afraid, there is a good deal of force in the observation that the administration of Delhi has been paralysed by a kind of triarchy. Delhi is a Part C State. We are also told that three Ministers of the Union Government are looking after the Delhi State and they are issuing sometimes inconsistent orders, conflicting orders, with very little co-ordination.

[Shri N. C. Chatterjee]

What I am pointing out is that this Parliament in its wisdom should at least incorporate article 2 or make provisions similar to those in article 240 and say that Parliament's intention is that, at least for the Delhi State and other areas, there should be by law creation of a body which is approximating to a legislature and that it should discharge the functions of a legislature with a council of Ministers or Advisers. We are told that we have not got Pandit Pant's Plan fully. Pandit Pant's Plan is certainly to some extent an improvement. But, it is still a nebulous plan. We want more information. We want to know the exact picture. It is very difficult to criticise unless you know the full picture. The papers have announced today that among the three Ministers who are now ruling the Delhi State, there is difference and they are not quite happy with the Home Minister's Plan. They cannot say that they are generally dissatisfied; but it is said that they are unhappy still. As a matter of fact, comment has been made that Chanakyapuri or the Diplomatic Enclave and some other areas are being excluded. We do not know what is the point in excluding Chanakyapuri. Is it such a big enclave that you cannot even entrust it to the Corporation? Chanakyapuri is being honoured by being excluded from all kinds of constitutional government or even a modicum dose of self-government. I do not think it will be right. You can keep the cantonment to yourself. But, do not think of excluding the diplomatic enclave. I have been criticising the formation of regional committees in Punjab. I shall have my say a little later. I pointed out the difficulties that I felt. I do not know what the regional committees are to do. It seems that some people have suddenly developed a fascination for that. I do not know how many regional committees will be there. Will they function as sub-committees or parliamentary committees or small corporations? They would create trouble. Some Members have expressed a wish that there should be some kind of a Governor or Lieutenant Governor. They have had the Chief Commissioner. Do not make it purely temporary. We want to know the set-up of this corporation. I think the Home Minister said that it is somewhat darkest under the lamp. This Parliament is legislating under this Constitution. We are proclaiming that, as the biggest democracy in Asia, as one of the biggest democracies in the world, we are fashioning it on very liberal lines. We are setting up an advanced type of democracy throughout the country. Do not exclude Delhi from that benefit. Do not exclude the capital from that. I say, I am again repeating, it is absolutely misleading, it is not *in pari materia* as you say in courts of law, to treat Delhi and Canberra together. It is not a bureaucratic city which has been born only with the establishment of a federal capital. It is not a purely governmental city which owes its birth to some kind of a federal set-up being constituted here. It has existed for at least 5,000 years. We must plan it on a different footing and not think that it is like Washington or Columbia or Canberra or Ottawa or anything like that. We were not born because of some political contrivance whereby you set up some kind of an artificial federal structure. It has an entirely different set-up. Therefore, the democratic sentiments of the people of Delhi require very close and sympathetic consideration.

I do not know who are the eminent people who will be associated. My hon. friend the Home Minister has said that some eminent people should be associated. I have a great horror for these V.I.Ps. What is the type of eminent people who will be recruited and associated? The control of the Centre could be exercised if at all by somebody responsible to the people. I want that it should be made clear. There is also a good deal of force in the comment made by my hon. friend Shri K. K. Basu that we have not got the time really to do our full duty

to the Budget which comes before the House. How do we expect to be able to go into the details of the Delhi administration? Therefore, it is a very, very difficult problem. I say this Parliament has to function for the people of Delhi, or Manipur or Tripura and so on. It is not our intention to make them close central enclaves completely placed under a bureaucratic set-up. We should do something whereby the aspirations and sentiments of the people should find legitimate democratic expression and we will not deny any form of self-government which is possibly working there.

I am submitting that the idea of creating political offices corresponding to what was held by the Ministry cannot work. It requires very careful consideration. I would like to know whether the Pandit Pant Plan was placed before the Delhi legislature, before the Delhi Ministers and what was their reaction. How is he going to meet their objection? Obviously they are not happy. Obviously they are dissatisfied. What is going to be done?

I do recognise that in the Joint Committee we made some improvements on the original clause 17. In the original clause 17 Delhi and Bombay and Andaman and Nicobar Islands were all grouped together and placed under the same category. Of course, we have removed that situation. The two new articles 239 and 240 proposed in this clause 17 have been revised by the Committee and therefore there is some improvement, but I am not still satisfied and therefore I am saying that to delete 240 would be retrograde. You are putting the hand of the clock back. You should give power to this Parliament to set up some kind of constitutional set-up, democratic set-up, and Parliament by legislating in that way under the Constitution should take upon itself the responsibility of doing something to further the interests of democracy and the natural urge of the people to have some kind of self-government in this area. In the history of India's struggle for freedom, this great City has played a great part and we should not reduce it to the position of smaller things like the Andaman and Nicobar Islands. We cannot call the Andaman and Nicobar Islands Subhas Dweep; does not matter, but do not reduce them to that position. Therefore, that urge should have fulfilment. I am pleading that article 240 be incorporated. It is not mandatory. It says "Parliament may by law", but that is itself something which creates some kind of constitutional obligation on this Parliament to set up a body, may be not fully elected, but to set up a body which corresponds to a legislature and a Council of Ministers or a council of people who will be responsible to the people of the State. I would like to know what would be the real constitutional relationship between the Members of Delhi—you have increased their number, that is good—*vis-a-vis* the other advisers and *vis-a-vis* this Parliament. I hope the hon. Minister will have no objection to accept my suggestion, which is a very reasonable and moderate one, in regard to article 240 which is already there and which was meant to be operated for all Part C States. At least you should accept that and make it a part of the Constitution.

Shri Kamath (Hoshangabad): My amendments are 167, 168, 169, 170, 175 and 176.

Permit me, Sir, to say at the very outset that considering that these Union territories like Delhi, Himachal Pradesh, Manipur and Tripura are being deprived of the privilege of having a direct democracy functioning in their territories, Parliament should ensure that the supremacy and sovereignty of Parliament with regard to providing for the good government of those States or territories continues unimpaired, and that is why I have tabled amendments 170 and 175 in this connection. I shall first dispose of the earlier amendments which are somewhat minor in character compared to the subsequent ones.

[Shri Kamath]

The first one, 167, seeks to substitute for the word "Administrator" the words "Chief Administrator". It might be said: "What is in a word?" or "what is in a name?", but sometimes these little matters count a good deal and I am sure the Home Minister will also agree that to call or dub the head of a Union territory a Chief Administrator rather than mere Administrator would be better from various points of view into which I need not enter. My hon. Friend Shri Chatterjee suggests he might be called Lt.-Governor, but failing that I would suggest that he may be known as Chief Administrator of that territory.

Then I would suggest that the provision which seeks to empower the President to appoint the Governor of a State as the Administrator of an adjoining Union territory is very undesirable and should not be passed by Parliament. The Administrator should be a person separate and distinct from the Governor of an adjoining State and I hope the Minister will consider this matter again and see to it that this provision is deleted, and the Administrator remains distinct and separate from the Governor of an adjoining State.

I have sought to include the word "progress" along with peace and good government, to insert the word "progress" between the words "peace" and "good government". The Government, whatever else it may be, I hope is not against progress. Though it may connote or interpret it in its own way. I am sure the Minister and the House will agree to the insertion of this word "progress" in clause 17.

Then I come to the main amendment, the chief amendment among these five or six amendments, which seeks to ensure that the sovereignty, the supervisory authority of Parliament, with regard to bringing the Government to book as regards the governance of these territories continues unimpaired, and I entirely endorse the sentiments that have been voiced by my hon. friend Shri K. K. Basu to this effect and in this direction. I have got two amendments slightly differently worded with regard to this particular matter—amendments 170 and 175. Even if the wording is not acceptable to the Minister, I hope he will accept the spirit of these amendments and recast them in his own way, a better way I presume, and we will have certainly no objection to accepting the re-worded or recast amendment which embodies the spirit of these amendments. The Home Minister was good enough some time ago in the Joint Committee on the Citizenship Bill to accept without much ado an amendment tabled by some of us that all the rules and regulations under the Bill should come before Parliament for such modification as Parliament may deem fit and necessary. These two amendments are on similar lines and I hope the Minister and the House will have no difficulty, will have no objection, to accepting the spirit of the amendments, and even the letter of the amendments, but if the letter is not quite happy or quite correct, I am willing to have it recast in such a manner as he may deem fit and proper.

May I make a suggestion with regard to the immediate set-up in these States of Delhi, Himachal Pradesh, Manipur and Tripura? In this Bill as reported by the Joint Committee it has been provided that Parliament may by law determine the administrative set-up of the Union territories. Kindly refer to clause 17. It reads: "Save as otherwise provided by Parliament by law..." In order to avoid the gap between the existing law, that is to say the Government of Part C States Act which governs the administration of these territories at present, and the new law that may be passed by Parliament,—it may take some time because Parliament will not take it up immediately, and in the next session also Parliament may not have time to take up this matter in order to provide for the time lag that may arise between the existing law and the new law made by Parliament, the President should be empowered to

apply such provisions of the existing Part C States Act, 1951 as may be considered necessary in order to have a democratic set-up in these territories. That regulation, that ordinance, that order made by the President should come before Parliament in the next session so that we can scrutinise it and see how far it is in consonance with the spirit that animates our sovereign democratic Republic.

Before I conclude I would only refer to one other matter, that is with regard to clause 18 which seeks to amend article 258 of the Constitution. I could not catch the import or trend of this particular provision—

> "Notwithstanding anything in this Constitution, the Governor of a State may, with the consent of the Government of India, entrust either conditionally or unconditionally to that Government or to its officers functions in relation to any matter to which the executive power of the States extends."

I do not quite understand what is the need for this provision in this Bill, but even assuming that it has got some purpose behind it. . .

Mr. Speaker: *Vice versa;* just as the Central Government can entrust the State Government can equally entrust. I thought it was *vice versa.*

Shri Kamath: Is there a corresponding provision?

An Hon. Member: The corresponding provision is there.

Mr. Speaker: Hitherto while the Centre could entrust there was no provision for the State to entrust to the Centre.

Shri Kamath: If that is so, I would seek a safeguard with regard to this and that safeguard is embodied in my amendment No. 176—

> "after 'the Government of India' insert 'with the prior approval of the legislature of that State'."

We must ensure that the legislature is consulted in this matter before certain powers are unconditionally or conditionally entrusted or made over to the Government of India and the State Legislatures should not be deprived of the right to be consulted in this matter before the powers are transferred or entrusted to the Central Government by any State Government.

Mr. Speaker : Of course, I do not wish to interrupt the hon. Member. In the earlier portion it does not require a sanction of Parliament. Parliament sanctions in general. The executive power extends, or is coterminus with the control over various items. In entrusting any executive power to the State, Parliament does not come in.

Shri Kamath: There is no reason why Parliament should be deprived of this power.

I would in the end very earnestly suggest that though we are depriving these Union Territories of the direct democratic set-up which they enjoyed in the last few years since the Part C States Act came into being, I hope this House will see to it that the responsibility of the executive—whatever executive comes into being in these territories—to this Parliament will continue unabated and Parliament will see to it that the peace, the progress and the good Government of these territories are fully and adequately ensured in the future.

Mr. Speaker: The following amendments to clause 17 to 20 of the Constitution (Ninth Amendment) Bill, 1956 have been indicated by the Members to be moved subject to their being otherwise admissible:

Clause No.	*No. of amendment*
17	167, 168, 169, 174, 175, 21
18	176
19	131

Clause 17.— (*Amendment of Part VIII*)

Shri Kamath: I beg to move:

(i) Page 9, line 27—

for "an Administrator" *substitute* "a Chief Administrator".

[Shri Kamath]

(ii) Page 9—

omit lines 29 to 33.

(ii) Page 9, line 34—

after "for the peace" *insert* "progress".

(iv) Page 9—

after line 42, *add*:

"Provided that no such regulation shall be promulgated unless it has been laid before both Houses of Parliament for a period of not less than fifteen days, and approved by a separate resolution of each House."

(v) Page 9—

after line 42, *add*:

"Provided that every such regulation, before promulgation, shall be laid before both Houses of Parliament for a period of not less than fifteen days, and shall be subject to such modification as Parliament may make therein."

Shri K. K. Basu: I beg to move:

Page 9—

after line 42, *add*:

"(3) All regulations made under the aforesaid clause (2) shall be laid before the Houses of Parliament within a week of their promulgation if the Houses are sitting or within a week after their re-assembly for not less than thirty days and shall be subject to such modifications as Parliament may make and such modifications shall have the force and the effect of an Act of Parliament".

Clause 18.—(*Insertion of new article 258A*)

Shri Kamath: I beg to move:

Page 10, line 5—

after "India" *insert*:

"and with the prior approval of the Legislature of the State".

Clause 19.—(*Insertion of new article 290A*).

The Minister of Home Affairs and Heavy Industries (Pandit G. B. Pant): I beg to move:

Page 10, line 18—

for "October" *substitute* "November".

Mr. Speaker: These amendments are before the House.

Pandit Thakur Das Bhargava (Gurgaon): I have given notice of an amendment No. 109 in relation to clause 17 which relates to articles 239 and 240 of the Constitution. When the Bill was referred to the Joint Committee I had something to say about these two articles. I am very anxious to see that so far as the power of this Parliament is concerned, it is not whittled down by any amendment. It so appears that as a matter of fact so far as the previous Part C States are concerned in future it will be the President who will be responsible for the exercise of the powers and for the administration and not this Parliament directly. The wording here is—

> "Save as otherwise provided by Parliament by law, every Union territory shall be administered by the President acting, to such extent as he thinks fit, through an Administrator or other authority to be appointed by him."

The only saving clause is "Save as otherwise provided by Parliament by law".

Now we have heard the hon. the Home Minister enunciating his scheme in regard to Union territories. So far as details go when the Bill comes before us we will have the opportunity to go into that question. So far as the new article 240 is concerned, it is to my mind substantially the same as the previous article 243. To that I have not tabled any amendment. So far as these territories go, according to me, though the Parliament may have some say, some kind of power, the power is not clearly indicated to

article 240. But all the same there are these words—

> "The President may make regulations for the peace and good government of the Union territory of .... etc.".

Further on how the powers are to be exercised is indicated. All the same I understand that the general powers of Parliament to supervise the administration and to have a say in the matter, so far as administration is concerned, will not be taken away.

So far as Part C States are concerned, I am anxious to see that the words contained in the previous article 240 may be added and I have given an amendment to that effect—No. 109. Whatever may be the details of the advisory or legislative body which may be evolved subsequently, my humble submission is that Parliament should have the final say in the matter and Parliament should be able to exercise the same kind of control over the executive as it was doing in the case of the previous Parts A and B States. The previous article 240 read—

> "(1) Parliament may by law create or continue for any State specified in Part C of the First Schedule and administered through a Chief Commissioner or Lieutenant-Governor—
>
> (a) a body, whether nominated, elected or partly nominated and partly elected, to function as a Legislature for the State; or
>
> (b) a Council of Advisers or Ministers, etc., etc."

So far as this provision went, it was comprehensive in a way and it was capable of containing any kind of scheme to be devised for the purpose of having a new kind of administration in these States.

Now, as has been pointed out by Shri Chatterjee, when we got Swaraj I remember we went to every *mohalla* in Delhi and proclaimed to the people that they will get the same kind of *raj* as we are getting in other places. I remember in every bazaar of Delhi we hoisted our national flag and told the people that they will have full rights. Ultimately when the law relating to the Part C States came before this House—it was referred not to a Select Committee, but what was called an amending committee—we criticised it very bitterly and Shri Gopalaswami Ayyangar was pleased to take back the previous Bill and agreed to give more powers to the Part C States. Ultimately after great struggle in this House we got certain rights for Delhi. I am very sorry now that that kind of State is being changed. I can understand the Government's view that circumstances are such that this kind of administration should be changed. Let it be changed. But at the same time I am anxious to see that so far as the coming administration is concerned, it should conform at least to the provisions of the present article 240 of the Constitution and that the People of Delhi and similar separate territories should be allowed to have their say in regard to the matter. I know, the instances of other capital cities in America have been given. But it is obvious that the resemblance does not go far enough. In Delhi, the Capital of India, we want an administration which will be a model administration for all the rest of India. And we want that people may get such rights that they may be quite satisfied. I am not happy with the idea that there may be only such a body where full representation may not be given to the people, and they may not be able to control their administrators. The word 'administrator' is not very pleasing. In other places, we have Governors. But here, the word is only 'administrator'. I do not know whether this will be pleasing to the Delhi people. I would have liked that the word 'Governor' had been allowed to remain in this case also. There is no point in not having the word 'Governor', if it is a word which is liked by the people.

From whatever point of view we may consider this, I am anxious that the powers of this Parliament may

[Pandit Thakur Das Bhargava]

remain as they are, and they may not be changed. The powers given in article 240 were given after a great deal of deliberation. Therefore, I do not see any reason why they should be changed, especially, when the existence of these powers is quite consistent with the scheme of things that we are envisaging today. So, I would suggest that these words which are existing in article 240 must be added on to article 239, so that the country and the whole Parliament may be clear that the powers of Parliament are not being curtailed. I am very anxious, and I am very jealous that the powers of this Parliament may not be curtailed in any manner. In fact, it was this very point which I had submitted at the time of the motion for reference of this Bill to the Joint Committee, namely that Parliament will never agree that its powers may be curtailed in this manner. I now come to amendment No. 112 relating to clause 20. If you will kindly look at article 298 relating to the power to acquire property, you will find:

> "(1) The executive power of the Union and of each State shall extend, subject to any law made by the appropriate Legislature to the grant, sale, disposition or mortgage of any property held for the purposes of the Union or of such State, as the case may be, and to the purchase or acquisition of property for those purposes respectively, and to the making of contracts."

But in the new article 298 that we are proposing in clause 20 of this Bill, we find that several changes have been made. In the first place, the following words have been added, namely:

> "carrying on of any trade or business and to the acquisition, holding and disposal of property and the making of contracts for any purpose."

It appears that the words 'for any purpose' have been added just to explain and contain the full meaning of the words 'carrying on of any trade or business'. If these words are added there, then I can understand that the words 'making of contracts for any purpose' may remain.

But the question is whether the words 'carrying on of any trade or business' should be there or not. You will be pleased to see that the executive powers of the Union as well as of the State are both included here. To my mind, this is a very great departure. Previously, Government were not authorised to carry on any trade or business. It is for the first time that I find that in this Bill these powers are sought to be conferred on the Union as well as on the States. Only this morning or yesterday I read in the papers that the State Trading Corporation had contracted for business to the tune of nearly Rs. 2 crores. So, so much business is already carried on by the State trading authorities.

In this House also, we have considered the question whether State trading should be allowed. And I, for one, do not know anything against this view, that State trading should not be allowed to such an extent. But at the same time I find that so far private trade is concerned, it is very much exercised over this, and we are reading every day in the papers as well as in the publications of the Federation of Indian Chambers of Commerce and Industry that private trade wants that Government should not undertake this business which the private traders are carrying on.

This is a very broad question, and it ought to be decided by the legislature, whether the States as such or the Government of the Union, as the case may be, should be allowed to carry on any trade or business in competition with private trade. When I find in article 301 the words:

> "Subject to the other provisions of this Part, trade, commerce and intercourse throughout the territory of India shall be free."

I understand them to mean that it was not contemplated at any time that the

States and the Union would come in competition with private trade and business and they will also carry on trade or business just like private persons.

Now, I do not want to give any definite opinion on this point, because I have got no experience in the matter. In fact, I am not quite competent to speak on this matter. I do not have the full competence to say that trade or business should not be carried on by the Union or by the States. It may be that in certain cases and for certain purposes, especially, when the trade is carried on between State and State, the State may be in a better position to carry on this trade or business. But I am anxious that when we are making a change, we should not make a change in the manner in which we are making it.

I would, therefore, like that the words which are contained in amendment No. 112 may be added in this clause. That amendment reads:

Page 10, line 22—

after 'business' *insert* 'sanction to be carried on by the Parliament.'

I am anxious that Parliament may be able to decide in what particular trade or in what particular business the Governments of the States or the Government of the Union may be allowed to carry on trade or business. A blank cheque for carrying on any trade or business will not be proper, though, in some cases, it may be that the treasury may be enriched by carrying on such trade or business; and in certain matters, I can understand that Government alone may be allowed to carry on trade. But to give a blank cheque like this, namely that they may enter into competition with private agencies or private traders or private businessmen will not be right; even if it is to be given, it should not be given in a manner like this. I want that the powers of Parliament in this matter may be secure, and that the last word should remain with Parliament. I, therefore, want that these words may be added on to clause 20.

Mr. Speaker: Now, Shri C. R. Narasimhan. Hon. Members will kindly be very brief. I shall allow two minutes to each hon. Member.

Shri Anandchand (Bilaspur): Some more time should be allowed for the Union Territories.

Mr. Speaker: 1½ hours have been allotted for them.

Shri C. K. Nair (Outer Delhi): Representatives of Delhi are not being given a chance.

Shri C. R. Narasimhan (Krishnagiri): I would like to refer to clause 20 and my amendment No. 40 thereto. Clause 20 gives power to the States and the Union for carrying on business or trade. Article 298 is proposed to be changed in clause 20.

While making such a change, we have to go back to the original article. The existing article provides for a State having property in a Union territory or another State, while the present draft covers the case of the Union having property and carrying on any trade or busines in a State or the case of a State having property and carrying on any trade or business in a Union territory; it does not provide for one State carrying on any trade or business or having property in another State.

So, clause 20 has to be amended by the addition of the words 'appropriate State Legislature', while we are carrying out the new proposal that has been embodied in this provision.

What I would like to know is this. Does the new article 298 give power to one State to carry on business or acquire property in another State or not? If it does give the power, and if both the States have got the constitutional power to legislate on such matters, then, which set of laws will operate in a case where one State functions in another State? I want to know whether this is a matter which has to be provided for or not. It is to provide for this that I have moved my amendment. If, however, that amendment is not good, it may be substituted by any other amendment. But what I want is that this should

[C. R. Narasimhan]

be provided for. When one State functions in another State, the question as to which legislature will have the power to legislate on that matter has to be definitely and clearly provided for and not left to mere conjecture or commonsense.

Shri Anandchand: Coming from a Union Territory, I welcome very much the sentiments expressed in this House about conferring more powers on the people of the Union Territories, including a legislature and a council of Ministers. But, unfortunately, if I may say so with all respect, these considerations are a little belated, because, once we have accepted in the Constitution, that is to say, in the Bill amending the Constitution, which is now before us, the main recommendations of the States Reorganisation Commission whereby a clear distinction is sought to be made between the States and the Union Territories, it is now, to my mind, a kind of *post mortem* to try to elevate them to the position of sub-States.

When we were having a discussion on the Report of the States Reorganisation Commission, it was said that henceforth, in India, there would be only these two kinds of units, namely the States and the Union Territories.

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Therefore, it would be, to my mind, a nomenclature which itself suggests something which is not a State and hence the powers with which that area is to be clothed cannot be the same as are prevalent in other States of India although I would very much like that would have been so.

Now, the other point is that Parliament may, in its wisdom, in due course of time—it has always got the powers under article 2 of the Constitution—admit new States into, what I might call, the brotherhood of full-fledged States; and if these Union Territories, in times to come, develop in such a manner that they attain that Statehood, then under article 2, Parliament would have the power and Parliament would make them full-fledged States with full-fledged legislatures, Council of Ministers and all the paraphernalia that goes with that administration. But, today, let us be a little more practical and look at things as they concern us. Shri Kamath was rather against the proposal of investing the Governor of an adjoining State with the powers of the Administrator of an adjoining Union territory. It follows in main the existing provisions of article 239 of the Constitution with the difference that whereas in article 239, as it exists Governnor shall be brought in with the consent of the people of the State concerned, here, the question of consent is not there. It is also clear that the Governor when he becomes the Administrator of that particular area or territory will be acting as an agent of the President and he will not be guided by the advice of the Council of Ministers. Therefore, that lacuna or that difference which was there in article 239 in which the Governor of a neighbouring State really meant Governor and his Council of Ministers, is not inherent and cannot be brought about in the new clause. It is only the Governor of a State who is to be called Administrator in certain cases. Therefore, it was so argued, at least, in the Select Committee and I would request the House to look at it from that point of view.

Then there is the proposal that the Administrator may be called the Chief Administrator. In the Select Committee, after long consideration, we thought that the words 'Chief Commissioner' should not be there and in place of the words 'Chief Commissioner' the word 'Administrator' was brought in. Now 'Chief Administrator' is really too big a word as it appears, though it smells like 'Chief Commissioner'. But I won't talk very much purely from that point of view and it is really, to my mind, an improvement in the status and may kindly be considered with sympathy by the hon. the Home Minister.

The other point was about the administration of Part C States during the interim period. I made a submission about this matter on the floor of the House about three days ago. I think, Sir, that an ordinance would not be the correct thing. I think that whatever legislation is to be passed for the administration of the Union territories, it should be brought on the floor of this House and Parliament should discuss it; otherwise there would be insurmountable difficulties created by an ordinance. Take for example the Bombay Corporation, the model of which is to be extended to Delhi. I understand,—I speak subject to correction—that the Bombay Corporation Act has something like 450 or 500 clauses. It is a very long Act which invests the people with very large powers. At the same time, an ordinance has got the odiousness, if I might so put it, of being a kind of *fait accompli*, and the House only sits upon it as a kind of *post mortem*, trying to judge something which has already taken place. Of course, the House has always got powers to change or make amendments in the provisions of the ordinance, but then it is not the same thing because something is established there, something exists, which would not always be very good to change. Hence, I request that this question of ordinance may not be taken into consideration at this stage. But, at the same time, the gap would be there. The gap would be there because under section 130 of the S.R. Act, I might now call it as such, the legislatures of Part C States are going to be abolished with effect from the appointed day and there is going to be an interval. I might submit to this House that when I spoke on this question I said that Parliament would be assembling somewhere near the 12th November, although it would be a short session, yet I confidently trust that legislative measures both, so far as Corporation for Delhi is concerned and the administrative set-up of the Union territories is concerned, could be brought up by the hon. Home Minister in that particular session and I hope and trust that the House here will give it time, will give it thought, and pass it into law because if that is not passed into law in that session, then that gap will be there and this would, to my mind, be not wise either from the public sentiment point of view or from the administrative point of view. The administration would be carried on in the name of the President even after the proposals have been accepted by Parliament here.

I have an amendment here, amendment No. 77, in which I have suggested that to the existing clause 239, as it is in the Constitution (Ninth Amendment) Bill, a further specification might be added drawing out in main the points which the hon. Home Minister was pleased to accept in his opening remarks on the day the Bill was introduced here for consideration. The exact words of my amendment are, "239A. The law referred to in clause (1) of article 239 may provide for any Union territory—(a) a wholly elected body to function as a Territorial Legislature of such Union Territory and (b) a Council of advisers chosen from amongst the members of the aforesaid Territorial Legislature". Now, I purposely used the words 'Territorial Legislature'. The hon. Home Minister has been pleased to name it a Territorial Council or something to that effect. But, I had in mind, when I used those words, "Territorial Legislature" the Union territories of America—Alaska, Hawaii and so on, where they have certain powers, and the legislations are subject always to the approval of Congress. Here also, what I was trying to prove was, that whatever legislation was passed in those areas by those Territorial Legislatures, would be subject to the final approval of Parliament, which could alter them after going into the contents of those laws. It would give the people a certain kind of feeling that they have that right and that Parliament, as the larger democracy, is looking into the affairs of the smaller democracies and seeing that they do not trespass the limits, whatever they are. In case that also is difficult. I do not know whether the Home Minister will find it readily

[Shri Anandchand]

ceptable to him; then I would beg f him to at least make a statement. know he has already made a statenent and I am thankful to him for aving conceded adult suffrage for lections to the Corporation whether in Delhi or other Union territories, but I would request him to reemphasize if he does not feel inclined to accept the amendment that I have tabled, firstly, that the elective principle, both in the Corporation and Advisory Councils is fully accepted because, in his speech, he was pleased to observe that they would be wholly elected plus certain people drawn from public life. That, I submit, would not be quite in conformity with the democratic principle that he has been pleased to accept. Secondly, I would request him to consider very seriously, and to take this House into confidence, about the feasibility of bringing about in the next session of Parliament, the session, that I have heard, is going to be held some time in November, a comprehensive legislation about the administrative apparatus both in the Union territory of Delhi, and the Union territories of Himachal Pradesh, Manipur and Tripura,

I make a differentiation between these two groups. I put Tripura, Manipur and Himachal Pradesh in a different category from the one relating to Delhi. Delhi is different from the other areas. This is an urban area. Of the 21 lakh population of Delhi, 18 lakhs are wholly residents of urban areas and I believe only about 3 lakhs or three lakhs and a few thousands are in the rural areas. The problem in Himachal Pradesh, Manipur and Tripura is mostly rural. Possibly if a large Act—if it is to be done on the model of the Bombay Corporation Act —could not be disposed of by Parliament even if it tried very hard, I thought of splitting up the legislation into two parts. I was hoping that at least the other part, that is, the part dealing with Territorial Council for Himachal and other places could be got through, even though I realise that my hon. friends from Delhi would object to it and insist that the other portion should be got through first—I am with them in that. I think if this measure were brought forward, we would be just in time. The interim period would be shortened to a considerable extent, and people would have the feeling and assurance that even though they had lost what they possessed—they had a legislature, Parliament had given it to them, the Government gave it to them and they had it, and that is going to be lost to them—this new enactment would come before Parliament on those lines in the very immediate future. Then I am sure there is going to be no reaction, no disheartening; they would rather be looking forward to the changed apparatus coming into being on the appointed day.

That is all that I have to say in this matter. I hope the hon. Home Minister will give his consideration to what I have stated and if he feels like it, he may give a categorical assurance on this point.

Shri C. K. Nair: Now that something has been announced for the administration of Delhi, we have to consider it with some seriousness.

So far as the political aspirations are concerned, we have been completely disappointed because we have been demanding a completely democratic set-up for Delhi, as in any other Part A State, But that was not to be, because the SRC also strongly recommended that there should not be such a State in Delhi. Therefore, for the time being, that has been dropped. But this Parliament should never forget that the people who count and the general people at large are not at all satisfied with what is being given. No doubt, so far as the civic aspirations are concerned, they are being fulfilled. But so far as the political aspirations are concerned, all their hopes have been shattered, because in the great struggle for India's freedom, it was here in Delhi that the first man came forward with an open chest to face the bullet. That was Swami Sradhanand in 1919.

Since 1919, the struggle for independence was never carried in greater vigour anywhere than in Delhi, with all the hopes that we would enjoy the same political equal rights as any other State. But that is not to be. Anyhow this Parliament should remember that their right is still there. Fortunately for us, there is a saving clause as proposed in the proposed article 239, "Save as otherwise provided by Parliament by law..". We still look upto this saving clause. A time will come when the people of Delhi will assert their sovereign rights. Of course, this Parliament is supreme. But so far as the Delhi area is concerned, the people of this area should be heard and they are sovereign for this area. Therefore, their voice cannot be ignored.

Now that at least for the time being the dice is cast for Delhi, we must accept it with grace. "That we do, but with certain modifications which are necessary for the good and efficient administration of the civic affairs of Delhi. No doubt, the proposed Corporation is much better than the so-called Part C State administration, because the latter was a truncated Constitution without important powers being given to it. There is a snag in the day to day administration under the previous system. But fortunately, the proposed Corporation is welcome because it is going to include all the powers conferred on all statutory bodies. That is a welcome sign.

But there is one thing still to be clarified. That is about the development authority that is going to be created for Delhi very soon. Is it going to be under the Corporation or not? I do not know how improvements in Bombay are carried on. If they are carried on under the control of the Corporation, the same thing may be conceded to Delhi also. Otherwise, it will be defective to that extent.

Another snag in the proposed Corporation is the creation of a municipal area within New Delhi, including the Cantonment area, Chanakyapuri and some other areas. That means it is not going to be a completely full-fledged Corporation for the whole of Delhi. There will almost be a State within a State, a State, a municipality within the Corporation. This is almost a contradiction. When we are going to grant Delhi a full-fledged Corporation, why should there be an exception for a small area?

I have a special request to make to the Home Minister with regard to the Bill that is going to be introduced in Parliament for the creation of a Corporation. The Members for Delhi in Parliament should be taken into confidence at the stage of drafting of the Bill. Of course, once the Bill is ready, it will be open for discussion in Parliament, but I request that the Members for Delhi may be taken into consultation while drafting the Bill.

I am grateful to the Home Minister for the announcement that he made that the rural areas will be given a special statutory right within the Corporation itself, that is, allowing the members from that area to constitute themselves into a separate body to look after their own development, because, after all, the rural areas cannot immediately be absorbed into a very advanced and modern city like Delhi. So they must have a special consideration. That, I am told, has been conceded by our Home Minister.

Another thing I want to suggest is that as far as possible, the election to the Corporation should be held along with the general elections. This may be a little difficult before passing the Bill itself, but it is necessary because the members of the Corporation are going to form the electoral college for the election of Members to the Upper House. That will also give some consolation to the people of Delhi that during the general elections they are going to have their own local administration set up by election. This will also avoid a lot of other expenses both to the Government and the public.

[Shri C. K. Nair]

The next point I want to make is about the nomenclature. It is proposed that Delhi is going to have an Administrator. That name is associated with something not very healthy. Administrators are generally appointed for superseded Municipal Corporations and even States. Therefore, we would like to have for Delhi the nomenclature of Governor or Lieutenant Governor. I suppose there is an amendment to this effect. I will support that amendment. It may be that we have the nomenclature of Metropolitan Governor for Delhi or Metropolitan Lieutenant Governor for Delhi. Instead of 'Municipal Corporation', I would propose 'Delhi Metropolitan Corporation'. It may be दिल्ली राजधानी निगम. Instead of 'Union Territory', it may be 'Union Pradesh'. That will satisfy both Hindi and English. The word 'Pradesh' is almost equivalent to the word 'State'. Sub-State or Super-State, or anything like that, I do not like, 'Union Pradesh' will be quite all right.

We have got the Advisory Council to advise the Minister at the Centre. There is also an Advisory Council that is proposed for the Administrator in the State. Its designation may be made the Council of Advisers rather than Advisory Council; because we have always found these Advisory Councils to be ineffective. This Council of Advisers will have a better status and better authority.

Shri Biren Dutt (Tripura West): It is good that you are in the Chair during the last stage of this discussion about the amending of the Constitution of the Part C States like Tripura and others. I can remind you that you were in the Chair when you gave a call to the people of the Part C States to fight for getting a responsible set-up in their States. And, it is under your chairmanship today that we are going to enter into a stage when this type of responsible government is going to be denied to them—for how long we do not know. That is why I am thinking that this time I should remind the hon. Home Minister as well.

When our Prime Minister called a conference at Gwalior of the peoples of the States like Manipur and Tripura, he categorically asked us to fight for joining the Indian Union, when there was a big conspiracy by the British Imperialists to create some sort of a Hill State. Probably we were better off for we were not like other captured people of other territories where the British Imperialists always wanted to avoid a democratic form of government. We belonged to India and we still belong to India.

For the last 5 years we have been finding that all the promises given to us in the Constitution, by even the Prime Minister and other big leaders of this House were not fulfilled on some ground or other. We were always told that there were some considerations which came in the way. When we heard the scheme given out by the Home Minister that day, we tried to understand the spirit behind it. We were told in this House again and again that the spirit of self-government would be there. When the States Reorganisation Bill was considered here, we were told that the spirit of self-government would be there though the power may be curtailed. But, in the present scheme of things, we are told that the law-making power should not be in the State and it has been proposed that the members of that area should be associated with the Minister-in-charge at the Centre, to formulate the legislative measures and even to advise about the Budget and other things. There will be one Standing Committee or Advisory Committee to the Ministry concerned with these areas.

The other thing that is proposed is that in these States there will be an Administrator and he will be advised by some advisers or councillors either nominated or elected by the councils created on universal adult fanchise. Here also the hon. Home

Minister has not given us the basic principle, whether those advisers will act democratically or whether there will be any clause indicating that the majority Party will have any priority for being nominated. These are some of the questions which react on our life very seriously.

In the last elections, some parties got defeated and their candidates even lost their security deposits but they were chosen as advisers. That has created an impression in the minds of the people whereby there is a reaction that no one tolerates the idea of an Advisory Council. The Delhi Member has said that it should be a Council of Advisers and not an Advisory Council. I agree because the Advisory Councils now functioning in Tripura and Manipur and other areas have created a very bad impression. The main principle or method of choosing them should not be even by the Ministers because, we in this House, have a feeling that sometimes hon. Ministers are so irresponsible. We have a feeling that these Councils are not democratic councils but just set up by those bureaucrats to rule over us. The Chief Commissioner chooses the members; he proposes the names and sends them to the Centre and the Central Minister agrees with them because they belong to the Congress Party. The Chief Commissioner is cunning enough to choose people from the Congress Party. The Ministers are satisfied with them. They do not know whether these people have any inclination for work, whether they have done anything in the State, whether they have run even a library in their lives. These things are not gone into but because they have got the label of the Congress, their names are accepted. These people actually bring a bad name to the Congress itself. Whenever there is a proposal for some nomination or election, I should like to know whether the principle of democracy will be there or not. I hope at least the Home Minister will admit that these people—at least a majority of them—should be chosen from people who have some past record of working in a constitutional manner in some organisation and not on the basis of the suggestion of the Administrator there.

Another thing I want to know is this. I want to know whether these Tribunal Councils—or whatever name is given—would be allowed at least to have a discussion of the proposed budget which will be framed with the help of the Members of Parliament and the Ministry at the Centre, whether they will have any chance to discuss that and make some recommendations on the proposals. I think if such discussion is allowed some proposal may come from the directly elected people regarding the burning problems of the State or the immediate necessity for development purposes. These may not be accepted by the Government and the Parliament; but there should be some recommendatory power at least for these Councils, to bring the notice of the Government some burning problem of those areas.

So much has been spoken on these things. We want to know whether on the appointed day, 1st November, these present Advisers will be there and what will be their position in the States. Will these Advisers, who are practically having motor cars and all other things, and terrorising the people, continue to be there even after 1st November when the new States will come into existence? If they are kept there, the whole scheme will be doubted by the people. I would like to know from the hon. Home Minister whether he has any intention to give powers to the people or whether the scheme is going to be worked through the old Advisory Councils till the next general elections. Amendment No. 22 refers to this matter.

Pandit G. B. Pant: The complaint has been made that the proposals contained in this Constitution Amendment Bill rather make an inroad upon the authority of Parliament. Really, if anything, they tend to enlarge the customary authority of

[Pandit G. B. Pant]

Parliament. Ordinarily, Parliament is concerned only with matters of all-India character. Here the Parliament's jurisdiction is extended over specific, circumscribed areas too. New Delhi deserves that honour as it is part of India, I think, and part of the very heart and the portion of India which is now intimately connected with every fibre and muscle of India. So, it is but natural that New Delhi should come closer to Parliament than it had been in the past. So, if anything the Parliament is, by virtue of this Bill, getting wider and larger powers than it had previously —the whole Parliament, including the Opposition.

So far as the proposals made by me are concerned, I claim that but for the fact that no separate Legislature is provided for any of the areas, they mark a distinct improvement on the system of administration that had been in vogue in these territories. The Legislature, as it was under the Part C States Act, did not give satisfaction to anyone. It was supposed to be of a truncated character, and it had in it, seeds of friction. I do not blame anybody for the disharmony that was often noticeable in conducting the affairs of the City of Delhi. So, we must accept it, and really I believe that the entire House is agreed, that a change in that matter was necessary. And all were also agreed that in the circumstances, the Parliament should have the powers of legislation. That was also the unanimous view of the Joint Committee. In the circumstances, the proposals made by me have to be accepted within the purview of the field that was given to us and with due regard to the limitations under which we had to function. Everyone of these areas will have a full-fledged democratic body, consisting exclusively of elected members, for administering those affairs with which the life of every citizen is most intimately concerned. So, they have the greatest opportunity of serving, much greater than they ever had before. So, the proposals that I have made, I hope, will receive still greater, I would not say, appreciation but sympathy.

So far as the other part is concerned, there is also no controversy here. In fact, the scheme propounded by me, though I gave only an outline, has been generally, if I have your permission to use the term, welcomed by the House, and also outside. The Corporation will cover a very large area. Only a portion of New Delhi will remain outside for obvious reasons—that does not call for an explanation. For that too I have said that the position will be reviewed after five years. Everyone will agree that the Diplomatic Colony and the government and official areas should for the present be kept out, and a period of five years is not long enough. I hope by that time it would be possible to include this area too.

About the rural area, it calls for special attention because the problem are somewhat dissimilar. So, special provision has to be made for them. An enquiry was made about the developmental authority. I think the matter will have to be given further consideration because large sums of money are needed for developmental purposes. They will be outside and beyond the resources and scope of the Corporation. Whether it will be desirable to put such a heavy weight on the Corporation at the outset is a matter to be considered. We will be guided only by one consideration and that is what will be in the best interests of the people of Delhi. That is the only criterion which will guide us, and every decision that we may take or have taken has been determined by that paramount consideration.

As to other matters, I do not think I am required to say much. There are some questions put about Manipur and Tripura; I did not exactly follow them. We will have Territorial Councils. What exact name will be given I cannot say just now, but what will be done there I have indicated. It will consist of elected members, elect-

ed on adult suffrage and with the same functions more or less as the Corporation which we have for Delhi. I think that the scheme would deserve the support of everyone as the result will be found satisfactory if all of us throw our energy into the working of this plan, which has been well-designed and can bear such fruit. So, we must concentrate on that.

So far as the issuing of an ordinance is concerned, I read the news with some surprise in one of the papers this morning. The idea has not occurred to me, and I do not know....

Shri K. K. Basu: Provoking you to act.

Pandit G. B. Pant: It may be a suggestion, I do not know. But, as we have been told, the Corporation Act will be a fairly voluminous one, and to issue a law of that character in the form of an Ordinance would be somewhat unusual. I do not know if there will be any compelling necessity to force our hands to such an extent.

Certain suggestions with regard to other matters have been made. Mr. Kamath has suggested that the word "progress" should be inserted in one of the clauses—proposed article 240 (1)— between the words "peace" and "good government." I accept that amendment.

Shri Anandchand: May I interrupt the hon. Minister for a minute? Would the hon. the Home Minister be able to assure the House that Government will take every step to expedite the legislative measures and try to introduce them in the next session of Parliament, about these Union Territories?

Pandit G. B. Pant: I can say this much, that I should like the legislation to be undertaken as speedily as might be possible. Whether we shall be able to introduce it in the next session, I cannot say very definitely. Because, I was just told, and as I indicated in the course of my remarks, these laws may be very elaborate and they may call for very close scrutiny. So, if we can draft the Bills, in a manner that may be found satisfactory by the House, by the time we meet again, I would be happy to introduce them. But my remarks should be taken with a word of caution. I am myself not very optimistic.

Shri Radha Raman (Delhi City): What about the interim period? What will be the form and shape of the administration of Delhi during this period?

Pandit G. B. Pant: There was also a question as to associating eminent personalities. I had perhaps said that some eminent persons will be associated with the Advisory Committee that would be associated with the Home Minister or here. Well, I had in mind men like the Mayor of the Corporation, the Vice-Chancellor of the Delhi University, and perhaps a few representatives of the Corporation itself.

I am, in a large measure, in agreement with what the Raja of Bilaspur said, and I will not repeat what he has said because we are pressed for time. As to the interim arrangement, I propose to have this Advisory Council, so far as the Home Ministry is concerned, immediately on or before the 1st of November, so that all Members of Parliament belonging to these respective areas may be closely associated with the Ministry from the date when the new States are launched. As to other matters, the legislature will cease to function according to this scheme which has already been accepted. So, whether any persons can be appointed to assist or to co-operate with, or to join the administrator on the 1st November. I am not sure about. But I am giving thought to that question too. I shall be prepared to discuss the matter with the hon. Members concerned.

Shri Kamath: What about the President's Regulations coming up before Parliament for approval?

Pandit G. B. Pant: About President's Regulations regarding Andaman and Nicobar and Laccadive Islands, w

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I shall place them on the Table of the House as soon as may be possible.

Shri Kamath: Subject to modification by the House, by Parliament.

Pandit G. B. Pant: Of course. The House has ample authority to modify everything. It will have the authority to modify the Regulations, certainly.

Shri Kamath: Why not accept the amendment then?

Pandit G. B. Pant: The amendment —I would not like to say is clumsy —but is rather too long.

Shri Kamath: Accept the spirit of that.

Pandit G. B. Pant: It is not in the proper form.

Shri Kamath: Recast it.

Pandit G. B. Pant: But I have told you that I shall place the Regulations on the Table of the House as soon as the House meets after the promulgation of the Regulations.

Shri Sadhan Gupta (Calcutta South-East): If the Regulation is merely placed on the Table of the House, the House has no authority to modify it or annul it. The House can only discuss it. Now, what the amendment seeks to do is different.

Pandit G. B. Pant: Whatever changes are suggested by the House will be accepted by Government.

Shri K. K. Basu: Why not move an amendment? Let Government move an amendment.

Shri Kamath: The Law Secretary and the Draftsmen are there.

Shri K. K. Basu: By four o'clock you can bring an amendment. It is a very short clause.

The Minister of Legal Affairs (Shri Pataskar): He wants an amendment.

Pandit G. B. Pant: Why do you worry so much? There will be only twenty thousand in the Andamans and another twenty thousand in the Laccadives. So you can trust my word for that, that the Regulations will be placed on the Table of the House, and whatever changes are suggested by the House will be accepted and put into effect by Government.

Shri Sadhan Gupta: That is as long as you are there.

Pandit G. B. Pant: Well, I hope to be here pretty long!

Sir, there is only one thing more..

श्री नवल प्रभाकर (बाह्य दिल्ली—रक्षित अनुसूचित जातियां): दिल्ली कारपोरेशन के जो सदस्य होंगे वे ही इलेक्टोरल कालिज होंगे तो ऐसी अवस्था में ...

पं० गो० ब० पन्त : नई बात फिर उठाइयेगा, पहले मैं अपनी बात पूरी कर लूं?

There has been a suggestion as to the change of this word 'Administrator'. Well, I would like to propose a short amendment here, that is, "Administrator with such designation as may be prescribed".

Shri K. K. Basu: Will it vary with the incumbent?

Shri Kamath: Prescribed by—whom?

Pandit G. B. Pant: By the Home Minister, under the orders of the President.

Shri Kamath: Unless it is cast in proper form we cannot say anything.

Pandit G. B. Pant: The amendment proposed is "Administrator with such designation as may be prescribed".

"Prescribed" means prescribed by the President. I will read it out to you.

Shri Kamath: On a point of order. "Prescribed", so far as I am aware, means prescribed under the Rules made under the Act. But there are no rules.

Mr. Speaker: Let us look into the Constitution. This is an amendment to the Constitution. The hon. Minister may go on.

Shri Kamath: By which authority?

Pandit G. B. Pant: The authority is the President in all these. This is the amendment and, Sir, with your permission I shall move it.

I beg to move:

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for lines 27 and 28, *substitute*:

"acting, to such extent as he thinks fit, through an Administrator to be appointed by him with such designation as he may specify".

'He' means the President.

Shri K. K. Basu: That is all right.

Pandit G. B. Pant: That is clear, now you have no fears.

Sir, I think I have dealt with all the points that had been raised and I hope these clauses will now be accepted by the House without any dissentient voice.

Mr. Speaker: This amendment also is before the House.

श्री नवल प्रभाकर : चूंकि दिल्ली कारपोरेशन के जो सदस्य चुने जायेंगे वे ही इलेक्टोरल कालिज होंगे तो क्या दिल्ली कारपोरेशन का जो चुनाव होगा वह जनरल इलेक्शन के साथ होगा ?

पंडित गो० ब० पन्त : यह जो देहली कारपोरेशन के चुनाव की बात आप कह रहे हैं तो चुनाव दो किस्म के हैं। जहां तक लोक-सभा के चुनाव का ताल्लुक है, वह तो जनरल इलेक्शन के साथ होगा, अब आया कारपोरेशन के लिये तब चुनाव होगा या नहीं, यह इस बात पर निर्भर करेगा कि तब तक हम कारपोरेशन एक्ट को पास कर सकेंगे या नहीं। अगर कारपोरेशन एक्ट तब तक हम पास कर सके तो कारपोरेशन का चुनाव भी उसी के साथ साथ हो जायेगा लेकिन अगर उसमें देरी हुई तो जाहिर है कि कारपोरेशन के चुनाव में भी देरी होगी।

श्री नवल प्रभाकर : उसके लिये कोई न कोई व्यवस्था करनी होगी क्योंकि वह अपर हाउस के लिये सदस्य चुनेंगे।

पंडित गो० ब० पन्त : जी हां, अगर वह नहीं हुआ तो उसके लिये कोई न कोई तरीका निकाला जायेगा।

Mr. Speaker: I will now put the clauses. I will put the amendments first.

I shall put the Government amendment to clause 17 to the vote of the House.

The question is:

Page 9—

for lines 27 and 28, substitute:

"acting, to such extent as he thinks fit, through an administrator to be appointed by him with such designation as he may specify."

The motion was adopted.

The Minister in the Ministry of Home Affairs (Shri Datar): Amendment No. 169 is also accepted; it has been moved by Shri Kamath.

Mr. Speaker: The question is:

Page 9, line 34—

after "for the peace" *insert* "progress".

The motion was adopted.

Mr. Speaker: Any other amendments?

Shri Kamath: Nos. 167, 168, 174, 175. As the Home Minister has accepted the spirit of some of my amendments, though not the letter, I want to withdraw Nos. 167, 174 and 175.

Shri K. K. Basu: No. 21 also may be withdrawn.

Mr. Speaker: Have the hon. Members leave of the House to withdraw these amendments?

The amendments were, by leave, withdrawn.

Mr. Speaker: Now Amendment No. 168.

The question is:

Page 9—

Omit lines 29 to 33.

The motion was negatived.

Mr. Speaker: There are no more amendments to clause 17.

Now, clause 18.

There is an amendment No. 176.

The question is:

Page 10, line 5—

after "India" *insert*:

"and with the prior approval of the Legislature of that State".

The motion was negatived.

Mr. Speaker: There are no other amendments to clause 18. There is an amendment No. 131 to clause 19.

The question is:

Page 10, line 18—

for "October" *substitute* "November".

The motion was adopted.

Clauses 2A, 21 and 21A

Mr. Speaker: There are no more amendments. The House will now take up the next group. Voting will be once for all in the evening along with the other clauses.

Now, we go to the next group of clauses 2A, 21 and 21A. Three hours have been allotted for this and 4½ hours for the rest; the total comes to 7½ hours. We are now at 1 o'clock and it will mean late in the evening

Shri Kamath: I would make an earnest request again that the House may adjourn in the evening at about 5-30 or 6-00 and then re-assemble at 8-30 or so. It is good for us to have a night session. Every Parliament has one night session at least.

Mr. Speaker: What I am suggesting to the House is this. These clauses relate to minorities. Clause 22 relates to regional councils and the rest, to the schedule, etc. Clause 21A relates to minorities, which subject has been discussed so often. So, let us reduce the time to two hours. For the next group, clause 22 and onwards, let us have one hour less, so that we will finish at 7 o'clock. But, the hon. Members must be brief.

Dr. Rama Rao (Kakinada): Sir, I want one clarification on clause 21.

Mr. Speaker: That will be done in due course. The hon. Member may hear the other hon. Members first. There may be clarifications.

Dr. Rama Rao: The Government should clear it up as to what standard primary stage of education is. It may not be answered. It is Constitution here and it is put in this clause. We usually understand primary education means upto 8th standard or third form. So, the hon. Minister can make the position clear; it will be most welcome. The Constitution also mentions the age of fourteen years. If the same principle is extended to this also, it means primary stage of education to children belonging to linguistic minorities in the mother-tongue upto 14 years, that is, up to third form or eighth standard.

Pandit G. B. Pant: Whatever comes within the sphere of primary education at the time will be regarded as covered by this clause. If, at any time, you extend primary education to the age of twenty years, then, it may be covered by it. So, it depends upon what you mean by primary education at a particular time.

Shri V. G. Deshpande (Guna): Sir, I have sent a chit that I want to move amendments Nos. 84 and 85. They may be treated as moved.

Mr. Speaker: He has sent the chit. All right. Shri Frank Anthony.

Shri Frank Anthony (Nominated—Anglo-Indians): Sir, the first amendment to which I would like to draw your attention is No. 198. It is an amendment to the amendment No. 183, notice of which has been given by the Minister in the Ministry of Home Affairs. It is a verbal amendment. It reads:

> "That in the amendment proposed by Shri B. N. Datar, printed as No. 183 in List No. 19 of amendments—
>
> in sub-clause (2),—
>
> *for* "minority groups" *substitute*: "minorities".

I feel there should be no objection on the part of the Government to accept this.

1 P.M.

Amendment No. 183 in List No. 19—in sub-clause (1) of that amendment—says that there shall be a Special Officer for linguistic minorities to be appointed by the President. In sub-clause (2) the words used are ".... linguistic minority groups." I want these words to be substituted; I want the word 'groups' to be taken out and the words 'linguistic minorities' to be put in. My reason is this, that by introducing the word "groups" here we may give some opportunity for some kind of legal quibbling, because what is contemplated in the proposal which stands in the name of Government is that this Linguistic Minorities Commissioner will be entrusted for looking after the safeguards provided for linguistic minority groups. That is not the phraseology which has been used in the Constitution. As far as I am aware, the main safeguards in the Constitution in respect of linguistic minorities are those to be found in articles 29 and 30. Article 29 refers to any section of the people with a distinct language, script or culture of its own. The word used in that article is "section". In article 30 it is "all minorities whether based on religion or language". The word "group" does not occur anywhere.

Pandit G. B. Pant: I think we will enter into a compromise. I accept this amendment, if you do not move any other.

Shri Frank Anthony: Sir, I would have been more than delighted to have accepted this compromise suggested by the Home Minister, coming as it does from him. When he spoke on a previous occasion in his usual manner, he spoke with great charm and conciliation and he hoped that what the Government had conceded would completely satisfy me. I do not wish to appear churlish; I mean, any kind of response which is not complete to the kind of gesture made in the inimitable way that the Home Minister makes it puts a person seemingly in the wrong bounds. His gesture, wanting to extend his hand to me, is one which I have not only pleasure, but I consider it very much a privilege, to accept.

With regard to the other amendment that stands in my name—amendment No. 199, which is also an amendment to Shri Datar's amendment—the purport of that amendment is to add the original clause, which was contained in my proposal before the Joint Committee. The original clause, which also appears in amendment No. 35 standing in the names of 11 signatories envisages the giving of power to the Central Government to issue directives.

Now, I know that there has been very considerable argument and counter-argument on this issue, and I am only sorry that I have not been able, as I say, to respond to the request of the Home Minister to be completely satisfied with the gesture that has been made by Government. I am deeply grateful, as I have said, to the Home Minister for this gesture, but with regard to this final clause—I do not wish to appear stubborn or pig-headed—with me it is a matter of fervent conviction and the Home Minister, a person who has always had the courage of his conviction, I feel, will appreciate, if not accept, my

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point of view, because I still feel Sir, that in this particular matter, if complete meaning is to be given to this provision which we are now proposing in the Constitution, then we must have this final clause giving directive powers to the Central Government acting, of course, through the President.

Sir, I feel that there was some misunderstanding about my attitude. The Home Minister said that he thought that I had dropped my plea in this respect because I did not press it to a vote in the Joint Committee. In the Joint Committee I felt that I had the support of all the members except the Home Minister and I advisedly did not press it to a vote because I knew that if the Party Whip was pressed to service then all those people who were supporting me including the Minister for Legal Affairs would be compelled to vote against me. But I clarified my position very carefully and elaborately in my minute of dissent extended to ten pages. I gave notice of an amendment in the precise terms in which my amendment now appears to the Constitution (Ninth Amendment) Bill, and I have not left my position in any doubt at any time.

I also feel that there was some misapprehension on the part of the Home Minister with regard to the plea that I had made, namely, that what I was asking for was precisely what the States Reorganisation Commission had recommended. As far as I could make out, the contention of the Home Minister was this, that the States Reorganisation Commission had only recommended a provision in the Constitution in respect of primary education. I do not think—and I say that with all respect—that this is quite correct. The States Reorganisation Commission certainly said that there must be a provision in the Constitution in respect of giving primary education through the medium of the mother tongue, but I maintain the States Reorganisation Commission has also made a very specific recommendation and there is no room for misunderstanding that. They have recommended a certain machinery starting with the Governor reporting to the Central Government, but they have accepted categorically the principle that the Central Government's decisions shall be issued as directives through the President. That is the point that I am urging. What I am asking for now has the complete blessing, the complete and the specific sanction, of the States Reorganisation Commission, and I will ask the House to bear with me when I read out this particular conclusion or recommendation of the States Reorganisation Commission. This is what they have said on pages 215 and 216 of their Report. In paragraph 797 they say:

> "Against this background, we hesitate to revive the suggestion for vesting special powers in the Governors to ensure that the minorities are not discriminated against. There are, however, clear advantages in utilising the services of the Governor for supervising the implementation of the policies of the Central Government in regard to linguistic minorities. With his detached outlook and knowledge of the requirements of administration, the Governor would be better suited for this task than a judicial or quasi-judicial Commission. The arrangement would also not involve extra expenditure."

Then they go on in paragraph 798:

> "We have carefully examined the objections to such an arrangement. It is understandable that the Governor should not exercise discretionary functions in the State field. There is no reason, however. . ."

This is the vital part.

> ". . . . . why the Governor should not function as an agent of the Central Government in regard to a matter which is of national concern. There is nothing antidemocratic about such an arrangement, because the Central Govern-

ment will be responsible to the Union Parliament for functions performed by the Governor as its agents. It will amount...."

These are vital words.

"....only to supervision by the larger democracy over the smaller democracies in respect of matters of national concern."

Then in the next paragraph they go on to conclude:

"...when the Governor finds the State Government acting in disregard of the Central Government's policies, he should, in the first instance, advise the State Government to take the measures necessary for the implementation of such policies; if the State Government disagreed with him, he should have the right to refer the matter to the Central Government,...."

And this is where I feel the Home Minister has misunderstood me.

"...along with his advice and the views of the State Government. The decision of the Central Government should be issued as a directive from the President."

That is the final conclusion of the Commission. The matter is left in no doubt and I submit with the utmost respect that if this House has any regard for the findings and the conclusions of the States Reorganisation Commission, and against the background of the arguments which have been postulated by the Commission, there is not a single reason why this specific recommendation that the decisions of the Central Government shall issue as directives from the President should not be accepted. And that is all that I am asking the House to accept.

Sir, when I was speaking to another Cabinet Minister, he said: "The Home Minister has conceded your point. He has given you a Linguistic Minorities Commission. He has given you also the provision that the Linguistic Minorities Commissioner's Report will be placed before Parliament". Why am I urging or even over-urging this need for a provision for the issue of directives from the President? The hon. Minister said that the Constitution guarantees or gives to the President the inherent power of issuing directives. I do not think that even the Home Minister will concede that proposition. In my Minute of Dissent, I have dealt with the constitutional aspect, and I have said that unlike the inherent principle of the American Constitution, our President has no powers to issue directives to see that the laws of the land are properly implemented. There is that inherent power given to the President in the American Constitution. That inherent power does not exist in our Indian Constitution. That is why we find that whenever it is intended that the President should have powers to issue directives, that power has been specifically given.

As I said, I have examined the scheme of our Constitution. When it was decided by the framers of the Constitution that in respect of the Scheduled Castes and Scheduled Tribes the President should have powers to issue directives we gave those powers specifically in article 339(2). That article gives the powers categorically to the President to issue directives. Even in the case of a national emergency, the President can issue directives only because he has been given specific powers in the Constitution.

I have urged this matter before. I say that it is a matter of principle. It is not a matter of concession. What is the principle involved? Are not the linguistic minorities the ultimate concern of the Centre? The S.R.C. says, "Yes; they are a national concern". I submit with the utmost of respect that this question has been overlaid by prejudices which are a hang-over from the past. Somebody was talking to me the other day and asking me, "What? This means only protection for the Anglo-Indians and the Mussalmans". I said that if I had not the respect which I had for him, I would

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have used stronger language in replying to him. I was inclined to use very strong language. But I said, "What do you mean? This clause will give protection to every linguistic minority in the country". It will give protection to the Bengalis in Bihar and the Biharis who live in Bengal. Although Shri N. C. Chatterjee, with his Hindu Mahasabha politics, may not agree with me in all respects, even he will support me in this matter, because his Bengalis are, as I said, hostages in Bihar. There will be over a hundred million, who constitute the linguistic minorities in the country.

Even today, I say with all respect, that there is a newspaper in Delhi which lives in a world of old prejudices. In the editorial, it talks in terms of the old minorities being assimilated and not perpetuating separatism. This is just, if I may say so, arrant nonsense. This is talking in terms of a context which does not exist today. We have created so many linguistic minorities. These minorities are not going to be assimilated. It does not mean that the Bengalis are going to be assimilated in Bihar. It is utter nonsense. In the old days, there was a talk of minorities, in a different context, being assimilated and not perpetuating a sense of separatism. But here, we are recognising that the Bengalis will have their right to continue for all time to study in their mother-tongue. Of course, for economic purposes, for the purpose of convenience, they will have to study the language prevalent in Bihar and they will have to study Hindi. But the principle is not that the Bengalis must ultimately be assimilated as Biharis.

Mr. Speaker: The hon. Member has already taken fifteen minutes.

Shri Frank Anthony: I shall finish soon. The hon. Home Minister has said that we have a federal Constitution and that we must carry the States with us. With the deepest of respect—while I say, "Yes, we have a federal Constitution"—I should like to submit that unlike the American Constitution, our Constitution has a unitary bias. What has the federal principle or the sensitivity of the States got to do with this? I say with the utmost of respect that the States have no business with regard to the linguistic minorities so far as the assumption of these functions by the Centre is concerned. What am I asking for? I ask the Centre—the Government of India—to assume its obvious duties towards the linguistic minorities. I am not asking it to interfere in a matter which is exclusively a State concern. This is not a matter of State's concern. Certainly, the States will have to treat the linguistic minorities with consideration and with justice, but ultimately, the linguistic minorities are the concern of the Centre in the same way as defence, foreign affairs, etc., are the concern of the Centre.

What business have the States to be irritated, if the Centre merely assumes its palpable duty with regard to the linguistic minorities? They have no business to be irritated. In the same way, they were irritated when the Centre assumed powers under article 339 to issue directives in respect of the Scheduled Castes and Scheduled Tribes? It may be said that that was a gratuitous intervention in State matters. It may be so with regard to the Scheduled Castes and Scheduled Tribes, but even there, the Centre felt that it was their duty to assume powers for issuing directives. What business have the States to have any kind of irritation over this matter?

What are we going to do by this amendment which stands in the name of the Minister in the Ministry of Home Affairs? We are saying that the Special Officer for linguistic minorities will only be entrusted with looking after the safeguards provided for the linguistic minorities under the Constitution. What are those safeguards? Those safeguards are contained in articles 29 and 30 of the Constitution. All that

the Minorities Commissioner will look after will be the cultural and educational interests referred to in articles 29 and 30. He would not have to look after their service interests; he would not have to look after their economic interests; he would not be able to look after their religious interests; he would not be able to look after their employment interests. All that he will be able to look after will be their cultural and educational interests referred to in articles 29 and 30.

Now, we have categorically lifted these cultural and educational interests from the purview of the States and we have put them into articles 29 and 30. So, they have ceased to me even remotely a State subject. They have become the primary concern of the Supreme Court of India to interpret upon. So, what business have the States to show any kind of irritation with regard to the cultural and educational rights which will now be remitted, to some extent, to the Minorities Commissioner and which have already been made the subjects for protection by the Supreme Court of India? There is no question of the States' autonomy being involved here.

What I am asking is this.

Shri N. C. Chatterjee: It is outside the legislative competence of the States.

Shri Frank Anthony: Yes. They have no business to be irritated. The Home Minister has been so generous, and he has made this gesture, saying that he wants this provision as an adjunct or an effective auxiliary to the protection given in articles 29 and 30. As I pointed out before, the linguistic minorities may be faced with an assault on their language or their culture which is of such an imminent and deadly character. Then, though the States may not accept the seriousness of the difficulty, the minorities will have the protection of going to the Central Government immediately and asking for directives by the President.

Now, let me take a case in point. The Bombay Government, in contravention of articles 29 and 30, said to my schools: "You shall not admit any non-Anglo-Indian now". Did we not get an injunction in respect of that order? Otherwise, overnight, 65 per cent. of the students would have had to go out, because 65 per cent of the students in my schools in Bombay State are not Anglo-Indians. Overnight, the schools would have to close down, on account of that order. Fortunately, we had the capacity and the resources to go to the court. But what would happen if it was another minority community? Their refuge would have been to go to the Central Government. In such cases, if the Central Government could not issue a directive immediately, then, the whole thing would become illusory and meaningless and the schools would have to disappear. We cannot envisage such a situation. I say there must be a general directive power vesting with the President. It is a contingent power. After all, we are trusting the Centre. I am not saying that such powers should be given to a third party, some outside authority or body. We are asking for the powers to be given to the Home Minister, so to say. It will be his primary responsibility. Does not the Home Minister trust himself? I pray and hope that he will be here for a long time and it will be the Home Minister who will have to issue these directives. Will he issue them irresponsibly? Certainly not. He would do it rightly. He would not do it irresponsibly. Only when he is convinced that the interests of the minorities are in imminent danger and that their national and cultural interests will be destroyed that he will resort to issuing a directive. It is because of this that I want this power to vest in the Central Government, as I feel that in the hands of people like the present Home Minister, it will only be exercised when the occasion warrants it.

I also want to refer to another amendment of mine, No. 29, which

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stands in the name of myself and Mr. Barrow. It says:

> "All linguistic minorities shall have the right to affiliate educational institutions established or administered by them to an examination of their choice in any part of India."

I want here also to thank the Home Minister once again. He has gone a long way to meet me. He has put into the Home Ministry's circular an instruction or provision giving a certain power to linguistic minorities which have institutions of their own to affiliate. The only reason why I have raised is to get a clarification from the Home Minister. I have looked at that part in the circular and I am not clear in my own mind. I have given the Home Minister an example of the difficulty that I am experiencing in Travancore-Cochin. They give me an examination through the medium of my mother tongue, but it is an inferior examination. They prevent me from affiliating to a superior examination, which is recognised by other States, by the Central Government and by all the other universities. In that case, will this circular advise the T. C. Government to allow me to affiliate to the superior examination recognised by the Central Government? That is my difficulty. I take the State examination; I do not say I will not take it, but I also want this right to affiliate to an outside examination, which is a much better examination. This is the difficulty which is experienced by many linguistic minorities. Dr. Lanka Sundaram referred to the difficulties experienced by the Andhra schools in Bengal. He also underlined further difficulties. In spite of the Home Ministry having intervened and given repeated advice to the Bengal Government, no relief has been given to the Andhra schools in Bengal. That is our difficulty. That is how the advice is usually treated by the States.

The Home Minister in his circular stated that this right of affiliation should be treated as corollary to the right given in article 31. Article 31 says that every minority based on language shall have the right to establish and administer educational institutions of its choice. The word "choice" is the dominant and operative word; that is one of the reasons through which I was able to get the Bombay order struck down. If I have the choice to have an educational institution of my own, *a fortiori* I must have the choice of the examination, provided it is a reasonable choice and provided I do not take an examination in Russia or China, but one of the examinations in the country recognised by all the other States and universities and in respect of which the Centre has given special concessions. The Central Government has accepted for the purpose of recruitment of Anglo-Indians to certain departments that the Senior Cambridge will be equivalent to B.A. degree, but you do not allow me to take that examination. The T.C. Government does not even allow the school which formerly fell in the Madras State to take the old Madras High School examination. I say that this right to affiliate flows naturally from article 31; it also flows from article 29(1) which says that any section of the people having a distinct language, script or culture of its own shall have the right to conserve the same. Is the T.C. Government allowing me to conserve my language? My books on English literature, the T.C. Government say, must be transliterated from Malayalam literature. How can I conserve the English language by having literature and books transliterated from Malayalam?

Take the case of Andhra. When the Andhra State was formed, a whole lot of my schools fell into that State and those students are going to take the Andhra S.S.L.C. examination. We will take it, but, with all respect, I want to say that the standards of the Andhra S.S.L.C. are equivalent to the fifth standard of my schools.

Shri B. S. Murthy (Eluru): I protest against this.

Shri Frank Anthony: My friend may not agree, but that is my view.

Shri B. S. Murthy: The views cannot be derogatory.

Shri Frank Anthony: My view is that compared to the standards of English in Andhra, you will find better standards in the fifth standards of my schools. I do not say on any other subject. I want to conserve my language, but you compel me to depress my standard from the Senior Cambridge—where the standards of English are equivalent to B.A.—to the fifth standard. I will take the State examination, but to conserve my language, let me take the superior examination also. I am making no reflections, but I cannot expect a child of 14 whose mother tongue is Telegu to have the same amount of knowledge of English as a person whose mother tongue is English. It will not be fair to him also. But, why do you deliberately depress my standard? I want to know from the Home Minister whether this circular will advise the T.C. Government. I will take their examination; I will be able to take their S.S.L.C. examination which is the same as the fifth or sixth standard. But, will it oblige them to allow me to take the examination which is recognised by the Central Government and other universities and which is, as I say, in keeping with the genius of the language which happens to be mine?

[MR. DEPUTY-SPEAKER *in the Chair*]

1.27 P.M.

पंडित ठाकुर दास भार्गव : जनाब डिप्टी स्पीकर साहब, मैं इन अमेंडमेंट्स को मूव करना चाहता हूं : अमेंडमेंट सं० ३२, ४४, ४५, ४६, ४७ और ४८ ।

आज जो बहस ऐन्थनी साहब ने की है, उस के बारे में मैं सिर्फ दो या तीन मिनट लेना चाहता हूं । हमारे होम मिनिस्टर साहब ने फरमाया था कि उन्होंने अमेंडमेंट के उस हिस्से को तो मान लिया जिस में एक कमिश्नर की तकर्रारी का जिक्र है और साथ ही जो उस की रिपोर्ट होगी माइनारिटीज के मुताल्लिक, वह दोनो हाउसेस म डिस्कस होगी, लेकिन जो दूसरा हिस्सा डाइरेक्टिव जारी करने का है, उस के बारे में होम मिनिस्टर साहब ने जो रीजन्स दिये, उन से ऐन्थनी साहब सैटिस्फाइड नहीं हैं । हमारे ऐन्थनी साहब ने जो अमेंडमेंट दिया है, जो कि सात आठ आदमियों का मुश्तर्का अमेंडमेंट है, उसी तरह के एक अमेंडमेंट को मैं ने भी मूव किया है जिस में यह दिया गया है कि रिपोर्ट यहां पर डिस्कस भी हो और होम मिनिस्टर साहब डाइरेक्टिव भी जारी करें । इस पर होम मिनिस्टर साहब कहते हैं कि वह डाइरेक्टिव जारी नहीं करना चाहते । वह सारी आसानियां देने को तैयार हैं लेकिन डाइरेक्टिव देने के सेफगार्ड को नहीं कबूल कर सकते । मुझे इस से कोई शिकायत नहीं है, मैं तो सिर्फ आर्टिकल का ख्याल करता हूं जिसमें दर्ज है :

"It shall be the duty of the Union to protect every State against external aggression and internal disturbance and to ensure that the government of every State is carried on in accordance with the provisions of this Constitution."

जो चीज कांस्टिट्यूशन के सेफगार्डस में है, अगर उसके मुताबिक किसी स्टेट का इंतजाम नहीं होता, गवर्नमेंट कैरी नहीं होती, तो आर्टिकल ३५५ में सेन्ट्रल गवर्नमेंट को जेनरल और इन्हेरेंट पावर मिली हुई है कि वह डाइरेक्टिव दे सकती है । इसके साथ अगर आर्टिकल ३६५ का मुलाहजा फरमाया जाये तो यह चीज और भी साफ हो जाती है । दफा ३६५ इस तरह पर है :

"Where any State has failed to comply with, or to give effect to, any directions given in the exercise of the executive power of the Union under any of the provisions of this Constitution, it shall be lawful for the President to hold that a situation has arisen in which the government of the State cannot be carried on in accordance with the provisions of this Constitution."

[पंडित ठाकुरदास भार्गव]

चुनांचे जहां तक आर्टिकल्स ३५५ और ३६५ का ताल्लुक है, मैं समझता हूं कि इनके द्वारा सैंटर को इनहेरेंट पावर मिलती है कि वह जब चाहे डायरेक्शंस इशू कर सकता है। अभी मेरे दोस्त फ्रेंक ऐन्थनी साहब ने जो कहा उसके दौरान में उन्होंने इस बात का भी जिक्र किया है कि जब तक किसी स्पेसिफिक पावर का किसी स्पेसिफिक सैक्शन में जिक्र न हो, उनकी राय में किसी को कोई अस्तियार नहीं हो सकता है। मैं बड़े अदब से कहना चाहता हूं कि मैं इससे एग्री नहीं करता हूं। मैं समझता हूं कि एक जेनरल पावर आर्टिकल्स ३५५ और ३६५ में दी गई है जिस को जब चाहा जाये इस्तेमाल किया जा सकता है। अगर होम मिनिस्टर साहब इस चीज को मुनासिब नहीं समझते कि इसका खास जिक्र इसके अन्दर हो और इसको प्वाइंटिड रेफ्रेंस के तौर पर नहीं रखना चाहते, तो मैं इस पर जोर भी नहीं देना चाहता। मैं भी समझता हूं कि स्टेट्स नाराज हो सकती हैं और ऐसा एटमसफीयर क्रियेट हो सकता है जिस में होस्टिलिटी पैदा हो जाय। लेकिन जहां तक माइनोरिटीज का ताल्लुक है मैं इस आर्गुमेंट से ज्यादा इम्प्रेस्ड नहीं हुआ हूं। जहां तक लिंग्विस्टिक माइनोरिटी का ताल्लुक है इनका जिक्र स्टेट्स रिआर्गेनाइजेशन कमीशन ने अपनी रिपोर्ट में किया है और यह चीज हमारी खास तवज्जह के मुस्तहिक है। मैं मानता हूं कि स्टेट्स भी कोई ऐसा काम नहीं करेंगी जिस से किसी को कोई शिकायत का मौका मिले। लेकिन इस मामले में सैंटर का एक खास फर्ज है कि वह उनकी जिम्मेवारी ले। सैंटर का फर्ज है कि वह सारे हिन्दुस्तान में ठीक हालात रखे। अगर ऐसी बात न हो तो ये जो आर्टिकल्स ३५५ और ३६५ हैं ये बिल्कुल बेमानी हो जाते हैं। जहां पर माइनोरिटीज दुखी हों वहां पर आप को दखल देना ही होगा। आज हमारे देश में बहुत बड़ी आबादी वाले लोग माइनोरिटी में हो गये हैं। पंजाब के अन्दर ही ४० परसेंट की एक माइनोरिटी बन गई है। हमें यह अवश्य देखना चाहिये कि हम वही काम करें जिनसे माइनोरिटीज यह फील करें कि उनके साथ इन्साफ हो रहा है और होगा। सैंटर ३५५ और ३६५ के मातहत जो चाहे कर सकता है। ताहम मैं यह अर्ज करना चाहता हूं कि इसको रखने में किसी किस्म का कोई नुकसान नहीं है। अगर इन आर्टिकल्स में डायरेक्टिव्स का जिक्र न होता तो मैं मान सकता था लेकिन अब जब कि डायरेक्टिव का जिक्र हो चुका है, तो मैं कोई वजह नहीं देखता कि क्यों अस्तियार न दिया जाये। मैं यह इसलिये भी जरूरी समझता हूं कि रिआर्गनाइजेशन कमीशन ने अपनी रिपोर्ट में कहा और दर्जनों बार हमारे होम मिनिस्टर साहब ने और हमारे प्राइम मिनिस्टर साहब ने फरमाया है कि लिंग्विस्टिक माइनोरिटीज के साथ सिवाय इंसाफ के और कुछ नहीं होगा। आप यह कहते हैं होस्टिलिटी का एटमसफीयर पैदा होगा लेकिन मैं समझता हूं कि जितना भी पीनल कोड है उसमें सिवाय होस्टिलिटी के और कुछ नहीं है। जितने भी दुनिया के लाज होते हैं उनमें सिवाय होस्टिलिटी के कुछ नहीं होता। अगर सब लोग देवता बन जायें और उसी तरह से काम करने लग जायें तब तो किसी ला की ही जरूरत न रहे। लेकिन जिस दुनिया में हम रह रहे हैं उसमें बहुत सी ऐसी बातें हो जाती हैं जिन को बहुत से लोग पसन्द नहीं भी करते हैं और उनको वे बातें पसन्द नहीं हो सकती हैं। यह बात तो है नहीं कि मामली मामूली बातों पर आप एकशन लेना शुरू कर देंगे। जब तक कोई सीरियस चीज नहीं होगी आप कोई एकशन नहीं लेंगे। और फिर जब एकशन लिया जायेगा वह किस के द्वारा लिया जायेगा? वह लिया जायेगा बाई दी हाइएस्ट मैन इन दी कंट्री याने बाई दी होम मिनिस्टर आफ दी गवर्नमेंट आफ इंडिया। वही डायरेक्टिव इशू कर सकेंगे। जिस तरह से आप कानून बना कर लोगों के दिलों में फीयर पैदा करने की कोशिश करते हैं उसी तरह से डायरेक्टिव की बात को यहां पर रख कर आप इस बात की व्यवस्था

करेंगे कि स्टेट्स भी माइनोरिटीज की रिस्पेक्ट करें। मैं समझता हूं कि कोई ऐसे हालात ही पैदा नहीं होने दिये जायेंगे जिन में डायरेक्टिव इसू करने की जरूरत महसूस हो। मैं बड़े अदब के साथ अर्ज करना चाहता हूं कि यह पोजीशन ऐसी है जिस को रिकंसिडर किया जाना चाहिये और डायरेक्टिव की बात इसके अन्दर स्पेसिफिकली होनी चाहिये।

इस के अलावा मैंने कुछ एमेंडमेंटस दी हैं जिनके बारे में कुछ कहना चाहता हूं। सब से पहले मैं अपनी एमेंडमेंट नम्बर ३२ के बारे में अर्ज करूंगा। इस के द्वारा मैंने यह चाहा है कि It shall be the endeavour of every State के स्थान पर यह लिख दिया जाये कि It shall be the duty of every State यह जो फैसिलिटीज देने के बारे में आप प्रोवाइड कर रहे हैं मैं समझता हूं कि आप एक बहुत वैल्युएबल राइट उनको दे रहे हैं। लेकिन हो सकता है कि इस पर अमल करना स्टेट्स के लिये मुश्किल हो। ऐसी सूरत में मैं समझता हूं कि इस चीज को करना उनके लिए लाजिमी कर दिया जाना चाहिये। इस वास्ते मैं चाहता हूं कि "ड्यूटी" के लफ्ज को "एंडेवर" की जगह रख दिया जाये। यह उनके लिये लाजिमी करार कर दिया जाना चाहिये।

अब मैं अपनी अमेंडमेंट नम्बर्स ४४ से ४८ पर आता हूं। मैंने जो अमेंडमेंट गवर्नमेंट की तरफ से दी गई है उसको भी देखा है। जिन सेफगार्ड्स का कांस्टीट्यूशन में जिक्र है उनको भी मैं ने पढ़ा है। सेफगार्ड्स के बारे में आपने एक तो नई क्लाज इस बिल में नम्बर ३५०(ए) रखी है और दूसरे हमारे होम मिनिस्टर साहब ने जो सर्क्युलर मेज पर रखा है उसके अन्दर उनकी और भी ज्यादा बढ़ाहत की गई है। इन दोनों की तरफ हमारी तवज्जह दिलाई गई है। लेकिन मैं यह अर्ज करना चाहता हूं कि जो सेफगार्ड सर्क्युलर के अन्दर हैं वे कांस्टीट्यूशनल सेफगार्ड्स की वुक्कत रखते हैं। उनकी अपनी इमपार्टेन्स है, इसको मैं मानता हूं लेकिन वे भी कांस्टीट्यूशनल सेफगार्ड्स हैं इसको मैं नहीं मानता हूं। सेफगार्ड्स के बारे में कांस्टीट्यूशन में कुछ दफात हैं जो कि आर्टिकल्स २९, ३०, ३४७ और ३५० में दर्ज हैं। इसका सम्बन्ध स्पेशली शैड्यूल्ड कास्ट्स, शैड्यूल्ड ट्राइब्स और एंग्लोइंडियंज से है इसके अलावा कुछ सेफगार्ड्स का स्टेट्स रिआर्गनाइजेशन कमीशन की रिपोर्ट में जिक्र है। मैं बड़े अदब से अर्ज करना चाहता हूं कि सेफगार्ड्स कौन लोग मांगते हैं। इसके बारे में मैं पहले भी कई बार अर्ज कर चुका हूं। जिन लोगों को कोई तकलीफ होती है वही इस बात को जानते हैं कि उनको किस तरह की तकलीफ है, दूसरों को उसके बारे में कुछ मालूम नहीं होता है। यहां पर यह कहा गया है कि जो इस तरह की शिकायत करते हैं वे अपने राइट्स को एसर्ट नहीं करते हैं, इस वास्ते उनको तकलीफ होती है। इसके बारे में जब मैं दूसरी एमेंडमेंट पर आऊंगा. तब अर्ज करूंगा। मैं अर्ज करना चाहता हूं कि वे कौन से सेफगार्ड हैं जो मैं मांगता हूं। इनका जिक्र मैंने अपने एमेंडमेंट नम्बर ४४ में किया है। उसके अन्दर मैंने चाहा है कि :—

"reasonable representation in Local Self Government bodies, Councils and the Cabinets of the State, to the linguistic minorities group".

कर दिया जाए।

अपनी एमेंडमेंट नम्बर ४५ के जरिये से मैं ने यह चाहा है कि :—

It shall be the endeavour of every State to improve the economic and social conditions of the backward classes and linguistic minority groups and bring them in line with the rest of the State.

[पंडित ठाकुर दास भार्गव]

तीसरी बात जो मैंने अर्ज की है वह है एमेंडमेंट नम्बर ४६ में । यह इस प्रकार है :

It shall be the duty of every State to duly consider and give effect to the claims of linguistic minorities group for employment in the public services of all kinds and grades consistent with the maintenance of efficiency of administration and the possession of technical or professional qualifications necessary for any particular post or kind of service.

ये तीन मेरी एमेंडमेंट्स हैं और बाकी जो एमेंडमेंट्स हैं वे एजेंसी को रिलेट करती हैं । उनका नम्बर ४७ और ४८ है । उन पर मैं बाद में आऊंगा ।

इन तीन एमेंडमेंट्स के बारे में मैं यह कहना चाहता हूं कि ये सेफगार्ड्स मेरे दिमाग की निकाली हुई नहीं हैं । इन सेफगार्ड्स का यह जो कमीशन की रिपोर्ट है उसमें जगह-ब-जगह जिक्र है, लोगों की तकलीफात का जिक्र है, उनकी शिकायतों का जिक्र है । चुनांचे मैं होम मिनिस्टर साहब की तवज्जह इस रिपोर्ट के पेज २२६ की तरफ दिलाना चाहता हूं जहां पर खास तौर पर इसका जिक्र आया है। इसका हैडिंग है "रिजिनल ग्रीवियेंसिस" । तफसील में उन्हों ने बहुत सी बातों का जिक्र किया है लेकिन इन तीन बातों का खास तौर पर जिक्र किया है । इनका इसी जगह पर जिक्र नहीं है बल्कि जगह-ब-जगह बहुत जिक्र है और उन्होंने कहा है कि इस तरह की तकलीफों को लोगों ने हमारे सामने रखा है और उनका कोई इलाज किया जाना चाहिये । ये तकलीफात हैं इकोनोमिक ग्रीवियेंसिस आफ डिफेंट एरियाज के बारे में । उन्होंने इसके बारे में एक खास तजवीज पेश की है । वे कहते हैं :

It shallbe the duty of every—

"As we have stated earlier, the conclusion we have reached is that, by and large, these complaints are greatly exaggerated. However, considering that such complaints and counter-complaints have proved to be a prolific source of internal discord in various States, we consider it necessary that a permanent body consisting of persons, who would inspire public confidence, should be appointed for the purpose of looking into the economic grievances of different areas. * * * It will be an advantage if this body includes some members of the Planning Commission and reports its findings to the National Development Council. We feel that such an arrangement will go a long way towards eliminating friction and distruct arising out of the feeling that certain areas are getting special or undue consideration at the expense of others".

गवर्नमेंट ने इस के मुताल्लिक इस किस्म का कोई सेफगार्ड प्रोवाइड नहीं किया है, हालांकि स्टेट्स रीआर्गनाइजेशन कमीशन की रिपोर्ट में इस सिलसिले में एक स्पैसिफ़िक तजवीज मौजूद थी ।

जनाबे वाला, मेरी समझ में नहीं आता कि आखिर मैं ने इस में ऐसी कौन सी लम्बी चौड़ी डिमांड की है, जिससे सरकार को इतनी तकलीफ होती है और वह इस को मन्जूर नहीं करना चाहती है । मैं तो सिर्फ यह चाहता हूं कि बैकवर्ड क्लासिज और लिंग्विस्टिक माइनारिटीज की इकनामिक और सोशल कन्डीशन्ज को दूसरे इलाकों के बराबर—इन लाइन विद—लाने का इंतजाम किया जाये । उन की सोशल और इकनामिक प्राग्रेस को स्टेट गवर्नमट की जिम्मेदारी करार दे दिया जाय । इसके बारे में मैं कुछ ज्यादा अर्ज नहीं करना चाहता हूं । परसों खुद हमारे मिनिस्टर साहब ने जो तकरीर फ़रमाई, वह मेरा सब से बड़ा बुलवर्क है । उन्होंने फरमाया कि आइन्दा ऐसा किया जायेगा । मैं मानता हूं—और मुझे पूरी उम्मीद है—कि उनकी उम्मीद बर आयेगी, लेकिन मेरी अर्ज यह है कि जिन स्टेट्स में इस किस्म की खराबियां आज से नहीं, बल्कि

सैकड़ों सालों से चली आ रही हैं, उन पर इस का क्या असर होगा । हमारे कांस्टीट्यूशन के आर्टिकल १४ और १५ में हर एक इंडिविजुअल को ईक्वल राइट्स की गारंटी दी गई है । मैं चाहता हूं कि वही राइट्स कुछ ग्रुप्स आफ परसन्ज को दे दिए जायें । मैं ने यह कोई नई बात नहीं रखी है । इससे आप का—या किसी और का—कोई नुकसान नहीं होने वाला है । अगर आप इस को मन्जूर फ़रमायेंगे, तो इससे उन लोगों की पोजीशन बेहतर होगी, उन का मारल फ़ाइबर मजबूत होगा, जो कि इस वक्त गिरे हुए हैं और जिन को आप ऊंचा उठाना चाहते हैं—जिन के बारे में आप फरमाते हैं कि वे लड़ कर, कोशिश कर के अपने राइट्स को हासिल करें । मैं यह चाहता हूं कि स्टेट्स को यह मौका न दिया जाये कि अगर वे चाहें तो उन गिरे हुए तबकों को नज़र-अन्दाज कर दें, उन को उन के हक़ूक न दें और उन की परवाह न करें । मेरी अमेंडमेंट्स ४७ और ४८ की मंशा यह है के जो सेफ़गार्ड्ज लिंग्विस्टिक माइनारिटीज के लिये रखे गये हैं, सैंट्रल गवर्नमेंट इस बात का इन्तिजाम करे कि जिन तबकों के लिए वे रखे गये हैं, वे उन से फ़ायदा उठा सकें । वह वक्त वक्त पर इस सारे मामले को इन्वेस्टीगेट कराये और अगर जरूरत हो तो इस बारे में स्टेट गवर्नमेंट्स को डायरेक्टिव्ज दे । यह स्टेट्स के लिए इस बात का कनस्टेंट रिमाइंडर रहेगा कि वह इस तरफ पूरी तवज्जह दें और इस को नजरअन्दाज न करे । इस के अलावा जो लोग अपने हक़ूक को हासिल करने के लिए लड़ रहे हैं, उन को इस से ताकत मिल जायेगी और उन के राइट्स मिल जायेंगे । हमारे कांस्टीट्यूशन की बुनियाद ही यही है कि वह हर एक इंडिविजुअल को उस के फंडामेंटल राइट्स की गारंटी देता है और उस को अपने पांव पर खड़ा होने और तरक्की करने का मौका मुहैया करता है । हमारे यहां जितने भी लाज बनते हैं, वे सब इस बेसिस पर बनाये जाते हैं कि जो आदमी अपने पांव पर खड़ा होना चाहता है, उस को ताकत देनी चाहिये और उस की मदद करनी चाहिये और उस को तरक्की करने का मौका देना चाहिये । अगर इन अमेंडमेंट्स को मन्जूर कर लिया जाये, तो सब पिछड़े हुये लोग इस को वैलकम करते । ये प्राविज़न्ज आर्टिकल १४, १५ के साथ हमारे कांस्टीट्यूशन को बुलवर्क बना जाते और उस में और ी खूबसूरती पैदा कर देते ।

जहां तक लोकल सैल्फ़ गवर्नमेंट बाडीज, कौंसिल्ज और कैबिनेट में रीज़नेबल रिप्रेज़ेन्टेशन का ताल्लुक है, उसके मुताल्लिक हमारे दोस्त श्री देशपांडे ने अपने ख्यालात का इज़हार किया है । मैं यह जानना चाहता हूं कि यह उसूल कब अमल में आयेगा । मैं जानता हूं कि स्टेट्स में आठ आठ मिनिस्टर रहे हैं, लेकिन बरसों तक उन में पिछड़े हुए इलाकों का सिर्फ एक मिनिस्टर रहा । मेरा मतलब यह नहीं है के जिलेवार मिनिस्टर बनाये जायें या पापुलेशन के बेसिस पर बनाये जायें । मैं जानता हूं कि जब कांस्टीच्यूशन बनाया गया, उस वक्त इस किस्म की कई तजावीज़ सामने आईं, लेकिन हमने उन को मन्जूर नहीं किया । हमने सिर्फ इतना लिखा है कि लिंग्विस्टिक माइनारिटीज को रीज़नेबल रिप्रेज़ेन्टेशन दिया जाये—उन को बिल्कुल महरूम न कर दिया जाये । अपने फ़ायदे के लिये उन के साथ ज्यादती न की जाये । यह मुनासिब नहीं है । मैं अर्ज करना चाहता हूं कि यह कोई नई बात नहीं है—पहले पहल मैंने ही इस को पेश नहीं किया था । कई मुल्कों में—कैनेडा में और स्विट्ज़रलैंड में—इस उसूल को माना गया है और इस पर अमल किया जाता है । रिपोर्ट में भी इस का ज़िक्र है और इस को माना गया है । मैं अर्ज करना चाहता हूं कि कैबिनेट को छोड़ दीजिये, लोकेल बाडीज में भी पिछड़े हुए तबकों का रिप्रेज़ेन्टेशन निहायत ज़रूरी है । पंजाब में डिस्ट्रिक्ट बोर्ड के इलैक्शन्ज हुए और उन में एक खास इलाके के आदमी नामीनेट हो गये और हमारे चीफ़ मिनिस्टर ने उस को हटा दिया ।

[पंडित ठाकुर दास भार्गव]

जहां तक कौंसिल में रिप्रेजेन्टेशन का ताल्लुक है, इस सिलसिले में सैंट्रल गवर्नमेंट और स्टेट गवर्नमेंट्स को नामोनेशन की पावर है। क्या वजह है कि आप यह प्राविजन न रखें कि वे इस पावर के इस्तेमाल में सब का ख्याल रखें ? इस अमेंडमेंट की मंशा यह नहीं है कि किसी परसेंटेज के नुक्ता-ए-नजर से नामीनेशन किया जाये। मैं सिर्फ यह चाहता हूं कि कौंसिल में भी लिंग्विस्टिक माइनारिटीज को रीजनेबल रिप्रेजेन्टेशन मिलना चाहिये और उन को नजर-अन्दाज न कर दिया जाये।

अपनी अमेंडमेंट ४६ पर मैं खास जोर देना चाहता हूं। इस में दर्ज है—

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after line 3, *add*:

"350. It shall be the duty of every State to duly consider and give effect to the claims of linguistic minorities group for employment in the public services of all kinds and grades consistent with the maintenance of efficiency of administration and the possession of technical or professional qualifications necessary for any particular post or kind of service."

जनाबे वाला, यह सारे देश में ट्रबल का एक प्रालिफिक सोर्स है। चाहे युनिलिंगुअल स्टेट हो या बाईलिंगुअल स्टेट हो, हर जगह माइनारिटीज को यह शिकायत है कि पब्लिक सर्विसिज के मामले में हमारे साथ इन्साफ नहीं हुआ है। यह सही होगा कि कई केसिज में इस बारे में एग्जेजेरेटिड कम्प्लेंट्स होती हैं—लेकिन सब जगह नहीं। मैं ने इस हाउस में कई मर्तबा इस सिलसिले में फिगर्ज पढ कर सुनाये हैं। इस वक्त मैं एड नाउजियम उन को बार बार दोहरा कर इस हाउस का वक्त जाया नहीं करना चाहता हूं। क्लाज २२ में आप ने विदर्भ, मराठवाड़ा और गुजरात के लिए तीन अलग डेवेलपमेंट बोर्डज प्रोवाइड किये हैं, तीनों हिस्सों के लिए डेवेलपमेंटल एक्सपेंडीचर के लिए फंड्ज की ईक्विटेबल एलोकेशन गारंटी की है और उसके साथ ही साथ उन तीनों हिस्सों के लिए एडीक्वेट आपरचूनिटीज फार एम्पलायमेंट इन सर्विसिज भी प्रोवाइड की हैं। गवर्नमेंट ने उस में इस प्रिन्सिपल को मान लिया है कि सब तबकों और इलाकों को सर्विसिज में ड्यु रिप्रेजेन्टेशन दिया जाये। मैंने अपनी अमेंडमेंट में यह लिखा है कि लिंग्विस्टिक माइनारिटीज को सर्विसिज में हिस्सा देना चाहिये। उस में मैंने यह नहीं कहा है कि आप गलत आदमियों को मुकर्रर करदें। न ही यह कहा है कि आप बैस्ट एवेलेबल टेलन्ट्ज का फायदा न उठायें। मैंने यह कहा है कि इस सिलसिले में एडमिनिस्ट्रेशन की एफ़िशिएन्सी और टैक्निकल और प्रोफेशनल क्वालिफिकेशन्ज का पूरा पूरा ख्याल रखा जाये। कांस्टीच्यूशन के आर्टिकल ३३५ में शिड्यूल्ड कास्ट्स एंड ट्राइब्ज के मुताल्लिक भी यह प्रोवाइड किया गया है कि उन को रिप्रजेन्टेशन देते वक्त एफिशिएन्सी आफ एडमिनिस्ट्रेशन का भी ख्याल रखा जाये। मैं इस आर्टिकल से आगे नहीं जाना चाहता हूं। मेरा मतलब यह नहीं है कि आप लिंग्विस्टिक माइनारिटीज के क्लेम्ज को एडमिनिस्ट्रेशन की एफ़िशिएन्सी और उन की क्वालिफ़िकेशन्ज का ख्याल किये बिना कनसिडर करें और उन्हें मन्जर करें। ऐसा कहना बिल्कुल अन-नैशनल होगा। मैं सिर्फ यह चाहता हूं कि किसी भी खित्ते या तबके को यह कहने का मौका न मिले कि उसके साथ इन्साफ नहीं किया गया है। मैं जानता हूं कि नए लैजिस्लेचर्ज में ये झगड़े चलेंगे। मैं नहीं चाहता कि इस किस्म के झगड़े चलें, लेकिन मैं यह अर्ज करना चाहता हूं कि जब तक इस किस्म के झगड़े मौजूद हैं, उन की परवाह न करना और उन की तरफ से आंख मीच लेना किसी भी तरह जायज और मुनासिब नहीं है। जिस स्टेट से मैं आता हूं, वहां पर इस किस्म की जो शिकायत है, उस को रिपोर्ट में भी तस्लीम किया गया है और कहा गया है कि हमारे पास इस किस्म की बहुत शिकायत आई हैं वे शिकायत इतनी सख्त हैं

कि उन की इन्टेन्सिटी को सिर्फ वही महसूस कर सकते हैं, जो कि वहां रहते हैं ।

जिस तरह कि यह अमेंडमेंट बर्डेड है, वह पहले से ही कांस्टीच्यूशन में मौजूद है और उस के साथ कनसिस्टेंट है । खुद होम मिनिस्टर साहब ने जिस सर्कुलर को उन्होंने हाउस की टेबल पर रखा है, उस में पैराग्राफ १५ में उन्होंने इस का जिक्र किया है और कहा है कि कई जगह हम को यह तरीका अख्तियार करना पड़ेगा । गरीबनवाज, मैं सिर्फ इतना चाहता हूं कि यह बात किसी सर्कुलर, मेमोरंडम या जबानी एशोरेंस तक महदूद न रहे, बल्कि वह कांस्टीच्यूशन में दर्ज हो जाये । इससे हमारे कांस्टीच्यूशन की चार चांद लग जायेंगे । मैं चाहता हूं कि जिस पालिसी को होम मिनिस्टर साहब ने मन्जूर किया है और जिस का उन्होंने ऐलान किया है, वह हमारे कांस्टीच्यशन में हमेशा के लिए एनग्राइन हो जाये, ताकि जब हम सब यहां से चल दें और होम मिनिस्टर साहब भी अपनी आंखें मूंद लें, तब भी यह पालिसी इस मुल्क की एक डिक्लेयर्ड पालिसी रहे—कांस्टीच्यूशन का एक हिस्सा रहे और वह हमेशा के लिये परपैचुयेट हो । मेरा असली मकसद यह है कि इस देश में ज्यादा से ज्यादा शान्ति हो और यहां का हर एक इलाका और हर एक तबका पूरी तरक्की करे और उस को तरक्की के पूरे मौके मिलें । मैं समझता हूं कि इस पर किसी को आबजेक्शन नहीं होना चाहिए ।

अब मैं आप की तवज्जह अपनी अमेंडमेंट ४७ और ४८ की तरफ दिलाना चाहता हूं ।

उपाध्यक्ष-महोदय : वक्त बहुत कम है, इस लिए जरा मुख्तसरन फरमा दीजिये ।

पंडित ठाकुर दास भार्गव : अच्छा जनाब, मैं किसी दूसरे मौके पर और अर्ज करूंगा । क्या २१ए भी इसी ग्रुप में है ?

उपाध्यक्ष-महोदय : इसी में है ।

पंडित ठाकुर दास भार्गव : खैर, मुझे क्लाज २२ पर बोलने का मौका मिलेगा । उस वक्त मैं कुछ वक्त लूंगा ।

उपाध्यक्ष-महोदय : जरूर ।

Shri R. N. S. Deo (Kalahandi-Bolangir): Mr. Deputy-Speaker, yesterday, I moved amendments 25 and 26, proposing a new clause 20A, and also amendment 27 for the substitution of clause 21. But, due to some misunderstanding, though amendments 25 and 26 were not supposed to be discussed, nor intended to be pressed yesterday, as my group of amendments referred to safeguards for linguistic minorities which have been taken up now, amendments 25 and 26 have been recorded as negatived yesterday. Therefore, I have moved a new amendment 218 with your permission, which, in effect repeats amendment 26 with only a slight modification, that is, instead of the amendment.....

Mr. Deputy-Speaker: Why should the hon. Member go into all this detail?

Shri R. N. S. Deo: I am explaining; otherwise,...

Mr. Deputy-Speaker: We have a fresh amendment 218. He may go on with that.

Shri R. N. S. Deo: I have moved amendment 218.

I welcome the acceptance by the Government of the first part of my proposed amendment; that is, clauses 1 and 2 of my amendment have been accepted in amendment 183. But, that amendment does not go far enough. I have gone through the memo circulated to us by the Ministry of Home Affairs on the safeguards for linguistic minorities and I find that the proposals with regard to primary education and the acceptance of the proposal to appoint a special officer, are the only two satisfactory safeguards so far as the right of instruction in the mother tongue is concerned. The rest of the safeguards that have been proposed by the Home Ministry on the basis of the recommendations of the S.R.C., I am afraid, are not only unsatisfactory and inadequate, but also illusory. I will endeavour to show how they are absolutely illusory.

[Shri R. N. S. Deo]

In these proposals, it is suggested in accordance with the recommendations in paras 783 and 784 of the States Reorganisation Commission's report that instructions should be issued by the President under article 347 regarding the recognition of minority languages as official languages. You will see, Sir, that the recommendation of the States Reorganisation Commission was that a State should be recognised as unilingual only where one linguistic group constitutes 70 per cent. or more of the population, and bilingual where there is a minority of 30 per cent. or more of the population. In the scheme of reorganisation of States, it will be seen that most of the States are unilingual. Only the new State of Bombay and the new State of Punjab are lingual states. In the case of Punjab, it is recognised that both Punjabi and Hindi will be the official languages. In the case of Bombay also, it is presumed that both Gujerati and Marathi will be recognised as the official languages. So, in the case of these two bilingual States, the question of either of the principal languages being treated as a minority language does not arise at all. Therefore, this safeguard will not be applicable to any linguistic minority in any of the States of India.

Similarly on this same basis, according to para 784 of the S.R.C. report, it is suggested that in the case of districts also, the same 70-30 per cent. formula is to be the criterion. Where, in a district, 70 per cent. or more of the population speaks a language which is a minority language in the State, this safeguard will be in force. I would like to point out that this also would be not capable of application. Because, here, it is said: if 70 per cent. or more of the total population of a district consists of a group which is a minority in the State as a whole. I have studied the *Census Report of* 1951, *Paper I of* 1954 and I fail to find a single district in the whole of India where this formula can be applicable. There will be no district in the whole of India where there is a language-speaking group which is 70 per cent. or more and which is also a minority in the State as a whole. This qualification—minority in the State as a whole—would mean that it should be about 30 per cent. or, according to the later suggestion for recognition for circulars and notifications being issued in the other language, at least 15 to 20 per cent. But, it will be clear if you study the Census report that there is not a single district in the whole of India where a minority language would amount to about 15 per cent. Hardly there will be any State where a minority group would be more than 1 or 2 per cent.

Shri Mohiuddin (Hyderabad City): May I know whether there are no municipalities or corporations where minority language group consist of more than 20 or 30 per cent?

Shri R. N. S. Deo: There are. I am coming to that. There are municipalities, there are corporations like Calcutta, Bangalore and Trivandrum and many others. There is one district in India, the district of Cachar in Assam, where Bengali is spoken by 77 per cent., Hindi by 10 per cent., and Assamese has a very small percentage. But, even in Cachar, the Bengali population cannot get this safeguard because in relation to the total population of Assam, it will not amount to 15 per cent. or 20 per cent. or 30 per cent. Therefore, this safeguard becomes illusory and meaningless. Similarly, in Calcutta, there is a minority population of Hindi-speaking people. In Bangalore, there are Tamil and Telugu-speaking people. There is in Trivandrum a Tamil population, and so on. There are many cities, and corporations where there are such minority populations. But, in the districts or municipalities, the minority population will not be considered to be a minority in relation to the total population of the State. Therefore, it becomes absolutely meaningless. That is why, in my amendment. I had suggested that where the minority is actually a

majority in the district or sub-division concerned it should be given these safeguards and a single majority language in any particular area should be treated as the official language in any particular area should be treated as the official language of the district or subdivision or taluka or municipality. As a matter of fact, this was the purport of the report of the States Reorganisation Commission. They had also given the example of Hyderabad and Bombay where the official language in the districts or taluks used to be the minority language and not the official language of the State. If it was possible there. I do not see why it should not be possible elsewhere. Therefore, it is necessary that the Home Ministry should re-examine this question and if the actual amendments suggested by me are not acceptable *in toto*, at least they should modify this memorandum in a manner that would make it possible for the linguistic minorities to get these safeguards.

2 P. M.

It appears that the real problem of these linguistic minorities has not been properly appreciated. It is not only with regard to the language and the difficulties in getting instruction in the mother tongue. That is, of course, one of the main disadvantages, but the linguistic minorities suffer from political, cultural and economic disadvantages also. The real solution of the problem and a wise solution of the problem would be to reduce the minorities as far as possible, and that was the object of the suggestion for the appointment of a boundary commission. I submit that it is politically unjustified and it is morally wrong to reduce a majority linguistic group to a minority by keeping it on the wrong side of the border. And that is why the disabilities and disadvantages arise. This has been recognised by the States Reorganisation Commission also. This problem of linguistic minorities is not only the cause but also the effect of this movement for linguistic States.

Many examples have been given by my friend Shri Frank Anthony and also by Pandit Thakur Das Bhargava about the disabilities, both economic and in the matter of services etc. I did not get an opportunity to speak on the general debate and I crave your indulgence just to cite a few examples only.

You know, Sir, there was a great controversy when this Seraikella subdivision was transferred to Bihar. Its reversion has been one of the main claims of Orissa. The two States of Seraikella and Kharswan were transferred to Bihar on 18th May, 1948 and a few days after that the Chief Minister of Bihar, after a victory celebration there, made a public declaration: "I assure the Oriyas of these States that their language, culture and individual rights will be duly protected and safeguarded by my Government." And a few days later, when hardly the ink had dried, on the 22nd June, 1948 by a notification Hindi was introduced as the Court language there, though Oriya had been the Court and official language and the language in the schools for a long time past. Soon after that, out of 743 officers and officials in those States, the majority were either discharged or forced to retire. Four hundred and ninety-nine persons were forced to retire. And sometimes very funny excuses were put forward or subterfuges were resorted to. Tahsildars and sub-inspectors were offered the posts of peons and when they did not agree to accept the post of peons, they were told that their services were no longer required. Only 197 out of the 743 have been retained in Bihar service and that too on a temporary basis. They are being ousted at the sweet will of the officers from time to time. Only 28 got pension and only eleven got gratuity. The rest have been just thrown out. Though new posts are being filled up every year, not a single local person has been employed either as a clerk or as a peon up to this day

[Shri R. N. S. Deo]

There used to be a labour exchange at Adityapur near this side of the river near Jamshedpur and through this the local people used to get facilities of employment in the Tata Iron and Steel Works. There is a glass works in that *ex*-State and there according to the terms with the proprietor preference was being given to local people in employment. Now, all that has been abolished and the local people get no facilities even for employment as labourers.

The schools there have been reduced. Formerly there were 57 Oriya schools out of which.....

Mr. Deputy-Speaker: The hon. Member should not dilate very much on this amendment which has been negatived already.

Shri R. N. S. Deo: I am pointing out the difficulties of education and how the proposed safeguards are inadequate. Therefore, I will just give a few examples about the position of schools.

There were 57 Oriya schools out of which 19 were Oriya-*cum*-Bengali and there was only one Hindi school in Seraikella. Out of these, 13 Oriya schools have been converted into Hindi schools. Thirty-six new Hindi schools were opened till 1954 and only one Oriya-*cum*-Hindi school has been opened and one Oriya-*cum*-Bengali school has been opened. In 1955-56 more Hindi schools have been opened, but no Oriya school has been opened. Though 75 per cent. or more of the students in the girls school are Oriya speaking not a single Oriya mistress is in that school.

Shri B. S. Murthy: Perhaps not available.

Shri R. N. S. Deo: There were three mistresses in this school who, due to pressure and the misbehaviour of certain officials, were forced to leave. This is all old history. There has been a lot said and written about this. I need not repeat them. The same is the condition in Kharswan. Therefore, mere laying down of the policy or simply repeating good wishes does not solve the problem. The real solution, I again submit lies in reducing the minorities to the minimum, and for that I again reiterate my earlier suggestion, which has been supported by others that a boundary commission should be appointed.

Shri Mohiuddin: Amendment 183 to clause 21 which has been proposed by the Home Minister should be welcome to all those who have been advocating that the linguistic minorities should be given effective protection. When the report of the Joint Committee was published, it had caused great disappointment. The disappointment was due to the fact that article 350A was added without any further provisions for its implementation. Article 350A would have been only a declaration of good wishes or a declaration of intentions, which may or may not be carried out in the States.

There were representations from all sides. It was suggested that more effective provisions should be made for the proper implementation of the intentions enshrined in the proposed article 350A. Now, amendment No. 183 has come in, and I hope it will unanimously passed.

There has been a propostl that a further clause 3 should be added to amendment No. 183, giving powers to the President to issue directives. The Home Minister has not so far accepted that suggestion. But I am sure that clauses (1) and (2) of proposed article 350B, if properly implemented and enforced, should prove of great value to the linguistic minorities.

So far as the principle of issuing directives, is concerned, proposed article 350A provides:

> "....and the President may issue such directions to any State as he considers necessary or proper for securing the provision of such facilities."

Article 350B that has now been proposed is an article subsidiary to

article 350A. The article 350A, is really the main operative clause, and provides that directives may be issued by the President, I am sure the report that will be discussed in Parliament under proposed article 350B will be governed by the provision in proposed article 350A that after Parliament has discussed that problem, the President may issue directives according to the recommendations of Parliament.

Of course, proposed article 350A is restricted only to primary education. At this stage, of course, I think this will be quite sufficient, and I am sure that will be fully implemented in the spirit in which it has been proposed.

Pandit Thakur Das Bhargava has suggested that in proposed article 350A, instead of the word 'endeavour', the word 'duty' should be substituted. Article 350A will then read:

> "It shall be the duty of every State and of every local authority within the State to provide adequate facilities for instruction in the mother-tongue at the primary stage of education...."

I fully support this amendment, and I am sure the Home Minister will accept it.

Article 350A provides that in case the necessary facilities are not provided, the President may issue directives. If the word 'duty' is substituted for the word 'endeavour', it will simply mean that if there is a dereliction of duty on the part of the State or the subordinate authorities, the President can issue directives. So, the word 'duty' will be a more proper and more suitable word. I am sure this amendment will be accepted.

The amendments that have been proposed in regard to the linguistic minorities, as for example, in regard to their employment in the services and so on, have some importance. My hon. friend Pandit Thakur Das Bhargava has just spoken about it I think, the economic problem, the problem of livelihood, the problem of employment, and the problem of the minimum necessaries of life is as important as and perhaps, more important than, the problem of the mother-tongue.

The Five Year Plan is going ahead, and it will provide to a very large number of people the necessary employment in due course. But the time when we shall have full employment, as envisaged by the Planning Commission themselves, will be about fifteen or twenty years hence. Therefore, I think it is not desirable that we should close our eyes to this problem of employment, the problem of giving a due share in the services of government to the linguistic minorities, and so on. I do not think that this problem should be ignored, or that we should close our eyes to it. I am sure that, if looked at from a realistic point of view, it is as important as, if not more important than, any other problem. I hope the Home Minister will kindly look into this question, and as far as possible, either accept Pandit Thakur Das Bhargava's suggestion, or issue a directive or instruction to the States to implement the proposals that have been put forth here.

Mr. Deputy-Speaker: The following is the list of selected amendments to the group of clauses 2A, 21 and 21A. They have been indicated by the Members to be moved, subject to their being otherwise admissible.

Clause 2A (New)—151, 29, 117, 152, 153.

Clause 21—27, 28, 32 178 (same as 32) 177, 23, 182, 183 (Govt.), 198, 199, 44, 45, 46, 47, 48, 113, 84, 85, 200, 201, 218, 220 (Govt.).

Clause 21A (New)—35, 34.

Pandit Thakur Das Bhargava: Are you taking up new clause 21A also now? In that case, I would like you to include my amendment No. 216 also in the list of amendments which have been taken as moved.

Mr. Deputy-Speaker: Yes. Amendment No. 216 is only omitting part (iii) from amendment No. 34 of Pandit Thakur Das Bhargava. He may move his amendment No. 34 omitting part (iii).

New Clause 2A

Shri Shree Narayan Das (Darbhanga Central): I beg to move:

Page 4—

after line 18, *insert*:

'2A. *Amendment of article 2.*—In article 2 of the Constitution, after the words "new States" the words "or Union territory" shall be inserted.'

Shri Frank Anthony: I beg to move:

Page 4—

after line 18, *insert*:

'2A. *Amendment of article 30.*—In article 30 of the Constitution, after clause (1), the following clause shall be inserted, namely:—

"(1A) All linguistic minorities shall have the right to affiliate educational institutions established or administered by them to an examination of their choice in any part of India."'

Shri S. V. Ramaswamy (Salem): I beg to move:

Page 4—

after line 18, *insert*:

'2A. *Insertion of new article 51A.*—After article 51 of the Constitution, the following article shall be inserted, namely:—

"51A.—The State shall endeavour to form Zonal or other Councils of two or more States to foster a sense of interdependence among neighbouring States, to facilitate co-operative effort for the co-ordinated and speedy economic development of large regions covering more than one State."'

Shri Shree Narayan Das: I beg to move:

(i) Page 4—

after line 18, *insert*:

'2A. *Amendment of article 79.*—In article 79 of the Constitution and wherever they occur in the Constitution, for the words "House of the People" the words "Lok Sabha" shall be substituted.'

(ii) Page 4—

after line 18, *insert*:

'2A. *Amendment of article 79.*—In article 79 of the Constitution and wherever they occur in the Constitution, for the words "Council of States" the words "Pradesh Sabha" shall be substituted.'

Shri K. N. S. Deo: I beg to move:

Pages 10 and 11—

for clause 21, *substitute*:

'21. *Insertion of new articles 350A and 350B.*—After article 350 of the Constitution, the following articles shall be inserted, namely:—

"350A. *Facilities for instruction in mother tongue.*—(1) Every State Government and local authority shall provide facilities for instruction in the mother tongue at the primary stage and also at the secondary stage whenever the students belonging to a linguistic minority number 40 or constitute 15 per cent., of the total number of students, whichever is less.

(2) Where the majority language of any area of a State is other than the regional language of the State, schools in that area shall be established in the majority language of the area and other linguistic groups in that area shall enjoy the facilities mentioned in clause (1) of this article.

(3) Whenever not less than 250 pupils or parents belonging to the linguistic minorities group in any area desire the establishment of a school in a particular language, it shall be the duty of the State or local authority to provide the same.

(4) A college in the language of the minority shall be provided wherever needed and practicable.

(5) Educational institutions in languages other than the regional language of the State, may be allowed to be affiliated to a Board or University outside the State where such language is the official language of that State in which such Board or University is situated.

350B. *Other facilities for linguistic minorities.*—(1) The single majority language in any district or sub-division, where it is other than the official language of the State, shall be recognised as the official language of that district or sub-division.

(2) Minority languages spoken by not less than 15 per cent. of the population of a State, shall be recognised as the media in examinations conducted for State services, and in the case of examinations conducted for recruitment to the lower services at district or sub-divisional level, the single majority language of the district or sub-division, if it is different from the language of the State, shall be recognised as media.

(3) Every State shall arrange for issuing official notices in the language of the linguistic minorities—

(i) throughout the State where such minorities constitute at least 15 per cent. of the population of the State; and

(ii) in a district or sub-division, when such minorities constitute at least 15 per cent. of the population of that district or sub-division."'

Shri Dasaratha Deb (Tripura East): I beg to move:

Page 10 and 11—

for clause 21, *substitute*:

'21. *Insertion of new articles 350A to 350G.*—After article 350 of the Constitution, the following articles shall be inserted namely:—

"350A. Every State Government shall provide facilities for the education of the linguistic minorities in its territory on the following lines—

(a) primary and secondary schools or separate classes in existing schools with the language of the minority as medium of instruction shall be provided wherever the students belonging to the linguistic minority number 40 for primary and 100 for High Schools or constitute 15 per cent. of the students in the schools, whichever is less; and

(b) a college in the language of the minority shall be provided wherever needed and practicable.

350B. Every State Government shall as far as practicable arrange for issuing of Government notices in the language of the minority and provide facilities for representation in their language wherever such linguistic minority forms a prescribed percentage of the population which may be between 15 to 20 per cent.

350C. In the judicial courts of an area concerned the language of the minority shall be recognised for the purposes of the court, if the minority constitutes about 20 per cent. of the population under the jurisdiction of the court concerned.

350D. In towns, cities and other local areas wherever any linguistic minority forms about 20 per cent. of the local area concerned

[Shri Dasaratha Deb]

the minority language shall also be recognised for the purpose of administration of the local bodies concerned.

350E. In any bilingual area where the minority language is spoken by 30 per cent. or more of the population, the administration of the area shall be carried on in both the languages of the area.

350F. In any bilingual area where the linguistic minority constitutes not less than 50 per cent. of the population, a minority council should be established in such manner and with such powers as Parliament may by law prescribe for the protection, safeguard and well-being of such minorities and their languages.

350G. (1) There shall be established a suitable authority in the State and in the Union to report to the President regarding the representations made by the minorities and the working of the guarantees and the protection given to the minorities. Each such report shall be laid before Parliament.

(2) After the report has been discussed by Parliament, the decision of the Central Government shall be issued to the State Government concerned as a directive from the President which shall be binding on the State Government."'

Pandit Thakur Das Bhargava: I beg to move:

Page 10, line 36—

..for "endeavour" *substitute* "duty".

Shri Kamath: I beg to move:

Page 10, line 36—

for "endeavour" *substitute* "obligation"

My amendment No. 178 is the same as No. 32 of Pandit Thakur Das Bhargava.

Shri K. K. Basu (Diamond Harbour): I beg to move:

Page 10, line 38—

after "primary" *insert* "and secondary"

Shri Kamath: I beg to move:

Page 11, line 2—

for "securing" *substitute* "guaranteeing"

Shri Datar: I beg to move:

Page 11—

after line 3, *add*:

"350B. *Special Officer for linguistic minorities.*—(1) There shall be a Special Officer for linguistic minorities to be appointed by the President.

(2) It shall be the duty of the Special Officer to investigate all matters relating to the safeguards provided for linguistic minority groups under this Constitution and report to the President upon those matters at such intervals as the President may direct, and the President shall cause all such reports to be laid before each House of Parliament."

Shri Frank Anthony: I beg to move:

(i) That in the amendment proposed by Shri B. N. Datar, printed as No. 183 in List No. 19 of amendments:

in sub-clause (2),

for "minority groups" *substitute* "minorities"

(ii) That in the amendment proposed by Shri B. N. Datar, printed as No. 183 in List No. 19 of amendments—

after sub-clause (2), *add*:

"(3) The decision of the Central Government on such report or reports shall be issued to the State or States concerned as a directive from the President, which directive shall be binding."

Pandit Thakur Das Bhargava: I beg to move:

(i) Page 11—

after line 3, *add*:

"350B. Subject to the other provisions of the Constitution it shall be the duty of every State Government to provide for the reasonable representation in Local Self Government bodies, councils and the Cabinets of the State, to the linguistic minorities group due regard being had to the population of the groups and the efficiency of the administration."

(ii) Page 11—

after line 3, *add*:

"350B. It shall be the endeavour of every State to improve the economic and social conditions of the backward classes and linguistic minority groups and bring them in line with the rest of the State and to secure this purpose it shall be the duty of the State to allocate equitable development funds subject to the other requirements of the entire State, for the social and economic needs and welfare of the backward classes and linguistic minority groups."

(iii) Page 11—

after line 3, *add*:

"350B. It shall be the duty of every State to duly consider and give effect to the claims of linguistic minorities group for employment in the public services of all kinds and grades consistent with the maintenance of efficiency of administration and the possession of technical or professional qualifications necessary for any particular post or kind of service."

(iv) Page 11—

after line 3, *add*:

"350B. (1) There shall be a Special Officer for linguistic minorities group to be appointed by the President.

(2) It shall be the duty of the Special Officer to investigate all matters relating to the safeguards provided for linguistic minorities group in this Constitution and report to the President upon the working of the safeguard at such intervals as the President may direct and the President shall cause such reports to be laid before Parliament for discussion.

(3) The President upon such report being presented and discussed as provided by the preceding sub-clause shall issue such directive as he considers necessary or proper to the State Government and such directive shall be complied with by the States concerned."

(v) Page 11—

after line 3, *add*:

"350B. (1) If the President is satisfied from any report by the Governor or complaint of person concerned or otherwise that the State Government is disregarding the safeguards for linguistic minorities group and is not properly looking after the interests of linguistic minorities group or backward classes in the State, he shall appoint a Special Board consisting of a member of Planning Commission as its president and two other persons whom he considers to be competent for the job to draw up schemes for taking measures to meet the special social, economic and other needs of such group or classes.

(2) The President may on being satisfied that such scheme is necessary to be implemented in the interest of linguistic minorities group or backward classes, order the State Government to give effect to the scheme within such time as he considers feasible and proper. Such order shall be deemed to be a directive within the meaning of the articles 356 and 365 of the Constitution."

Shrimati Renu Chakravartty (Basirhat): I beg to move:

Page 11—

after line 3, *add*:

"350B. Wherever a linguistic minority forming a prescribed percentage of the population to be notified by the President demands that representations may be received by the Government and the work of the Judicial courts and local bodies of the area be conducted in the language of the minority community, such directions must be issued so that provision of such facilities are secured.

350C. In any bilingual area where the linguistic minorities constitute 40 per cent or more of the population, a Minority Council may be established in any manner or with such powers as Parliament may by law prescribe for safeguarding their rights.

350D. (1) There shall be constituted a suitable authority in the State and in the Union to report to the President regarding the representations made by the minorities and the working of the guarantees and the protection given to the minorities. Each such report shall be laid before Parliament.

(2) After this report is discussed by Parliament, the decision of the Central Government shall be issued to the State Government concerned by the President, which directive shall be binding upon the State Government."

Shri V. G. Deshpande: I beg to move:

(i) Pages 10 and 11—

for clause 21, *substitute*:

"21. *Insertion of new articles 350A and 350B.*—After article 350 of the Constitution, the following articles shall be inserted, namely:—

"350A. (1) Every State Government and Local authority shall provide facilities for instruction in the mother tongue at the primary stage and also at the secondary stage whenever the students speaking a language other than the regional language number 40.

(2) Where the majority language of any district or taluq is other than the regional language of the State, schools in that area shall be established in the majority language of the area and other linguistic group or groups in that area will enjoy the facilities mentioned in clause (1) of this article.

(3) Whenever not less than 250 pupils or parents speaking a language other than the regional language desire the establishment of a school in a particular language it shall be the duty of the State or Local authority to provide the same.

(4) A college in a language other than the regional language shall be provided by the State if the number speaking such a language so warrants it and if it is practicable.

(5) Educational institutions in languages other than the regional language of the State may be allowed to be affiliated to a Board or University outside the State where such language is the official language of that State in which such Board or University is situated.

Explanation.—A language in this article means one of the Indian languages recognised by the Constitution.

350B. *Other facilities for linguistic groups who speak a language other than the regional language.*—(1) The single majority language in any district, subdivision, taluq, tehsil, or a town and a city where it is other than the official language of the State shall be recognised as the official language of that district, subdivision, taluq or tehsil or a town or a city.

(2) A language spoken by not less than 15 per cent. of the population of a State shall be recognised as a medium in examinations conducted for State Services and in the case of examinations conducted for the lower services at district, sub-division or taluq level, the single majority language of the district, sub-division or taluq if it is different from the official language of the State, shall be recognised as medium.

(3) (a) Every State shall arrange for issuing official notices in all the languages of the State whose number is above 15 per cent. of the total population of the State.

(b) The administration and the court work at district, sub-division and taluq level will be conducted in all languages of such district, sub-division or taluq whose number is above 15 per cent of the total population of such area."'

(ii) Page 11—

after line 3, *add*:

"Provided that when any State is divided into regions and provision is made for the constitution of regional committees in such States, then the facilities for instructions as provided aforesaid shall be available to children belonging to linguistic minority groups in each of such regions.

Provided further that the mother-tongue of a child shall be that which will be declared by his or her parents or guardians."

Shri N. R. Muniswamy (Wandiwash): I beg to move:

(i) Page 11—

after line 3, *add*:

"350B. It shall be the endeavour of every State to make special provisions for the advancement of any socially and educationally backward classes of the citizens and linguistic minority groups in matters relating to employment or appointments to any office under the State consistent with the proportion of population and to secure this object or purpose, it shall be the duty of the State to allocate equitable development funds subject to the other requirements of the State for the welfare of the backward classes and linguistic minority groups."

(ii) Page 11—

after line 3, *add*:

"350B. *Special Officer for advancement of socially and educationally backward classes and for linguistic minorities.*—(1) There shall be a Special Officer for the above group to be appointed by the President.

(2) It shall be the duty of the Special Officer to investigate all matters relating to the Directive Principles and to the safeguards provided for the above groups under this Constitution and report to the President upon those matters with his recommendations at such intervals as the President may direct, and the President shall cause all sueh reports to be laid before each House of Parliament."

Shri R. N. S. Deo: I beg to move:

Pages 10 and 11—

for clause 21, *substitute*:

'21. *Insertion of new article 350A.*—After article 350 of the Constitution, the following article shall be inserted, namely:—

"350A. (1) There shall be a Special Officer for the linguistic minorities to be appointed by the President.

(2) It shall be the duty of the Special Officer to investigate all

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matters relating to safeguards provided for linguistic minorities in this Constitution or any representation made by such minorities and report to the President at such intervals as the President may direct, and the President shall cause all such reports to be laid before each House of Parliament.

(3) After the report has been discussed in Parliament, the President shall issue such directions to any State as he may deem proper and such directions shall be binding on that State.

(4) In this Constitution reference to language means any of the fourteen languages enumerated in the Eighth Schedule and "Linguistic minorities" means in respect of a State a minority speaking a language which is spoken by at least 15 per cent of the population of the State and in respect of a sub-division or district a minority speaking a language which is spoken by at least 15 per cent of the population of that sub-division or district:

Provided that in a multilingual or bilingual area of a State, the single majority language spoken in the area shall be deemed to be the majority language in each sub-division or district and the other language or languages spoken by 15 per cent or more of the population shall be deemed to be minority languages in the area concerned."'

Shri Pataskar: I beg to move:

That in the amendment proposed by Shri B. N. Datar, printed as No. 183 in List No. 19 of amendments—

in clause (2), *add* at the end:

"and sent to the Governments of the States concerned".

New Clause 21A

Shri Frank Anthony: I beg to move:

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after line 3, *insert*:

'21A. *Insertion of new article 364.*—After article 364 of the Constitution, the following article shall be inserted, namely:—

"364A. *Special provisions as to minorities.*—(1) The term 'minority' shall include any section of citizens having a distinct language, script or culture of its own.

(2) There shall be a special officer for the minorities to be appointed by the President. It shall be the duty of the officer to investigate representations by minorities and report to the President upon such representations at such intervals as the President may direct and the President shall cause each such report to be laid before Parliament.

(3) After the report has been debated by Parliament, the decision of the Central Government, shall be issued to the State concerned as a directive from the President, which directive shall be binding on the State."'

Pandit Thakur Das Bhargava: I will move No. 34 omitting part (iii).

I beg to move:

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after line 3, *insert*:

'21A. *Amendment to article 366.*—In article 366 of the Constitution, after item (15), the following item shall be inserted, namely:—

"15(A). Linguistic minority group means and includes—

(i) group of people residing in the region for which Regional Committee is formed and consist-

ing of people not forming the majority of the population in the State;

(ii) group of people speaking any one of the languages mentioned in the Eighth Schedule of the Constitution and consists of not less than 25 per cent and not more than 50 per cent of the entire population of the State".'

Mr. Deputy-Speaker: All these amendents are before the House.

Shri N. C. Chatterjee: Mr. Deputy-Speaker, Sir, Mr. Anthony is in his element when he is pleading the cause of the linguistic minorities. But he has been very hard on an important paper which has said something on this problem and I am sure if he thinks over it he will admit that his remarks have been very hard. The paper says, "The appointment of a Minorities Commissioner under an amendment of the Constitution, on the analogy of the Commissioner for Scheduled Castes and Tribes, indicated by the Home Minister, may be welcomed if the liguistic minorities in the different States whose interests are sought to be safeguarded thereby do not mistake the safeguards as operating to perpetuate separatism or to impede the process of natural assimilation." I think that is an important point which should be remembered by all the minorities and specially by the liguistic minorities. I generally do not agree with Congress papers but there are lucid intervals, and this is a lucid interval, when this paper points out that this should be recognised "as a transitory stage designed to ease the ultimate process of assimilation".

The States Reorganisation Commission itself has clearly pointed out in paragraph 768 of the Report, page 207, "We realise that overemphasis on the rights of minorities and too many special safeguards for them would tend to keep the minority-consciousness alive and might thereby hamper the growth of a common nationhood. We, are, therefore, not in favour of setting up too elaborate a system of guarantees to the minorities which would, in our opinion, complicate rather than solve the problem. At the same time, we are impressed by the need of affording to the linguistic minorities sufficient opportunity for development so that they may not suffer from a sense of neglect or discrimination." I have gone through very carefully the memorandum circulated by the hon. Minister on this important question. The Memorandum on Safeguards to Linguistic Minorities was laid on the table of the House on the 4th of September. It is an important document and the Ministry deserves felicitation for that. But I am afraid, that one thing which the Minister has said there required reiteration.

Now, I would draw the special attention of Mr. Anthony, who has read this Report carefully, especially this chapter. The last paragraph is very important and the hon. Minister is perfectly right in reiterating that—

'Before concluding, the Government of India would like to endorse the observations of the States Reorganisation Commission in the following passage of its report:

"We wish to emphasise that no guarantees can secure a minority against every kind of discriminatory policy of a State Government. Governmental activity at State level affects virually every sphere of a person's life and a democratic government must reflect the moral and political standards of the people. Therefore, if the dominant group is hostile to the minorities, the lot of minorities is bound to become unenviable."

Sir, now let us tackle the amendments moved by Mr. Anthony. Just see Mr. Datar's amendment. He says, "Special Officer for linguistic minori-

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ties:—(1) There shall be a Special Officer for linguistic minorities to be appointed by the President. (2) It shall be the duty of the Special Officer to investigate all matters relating to the safeguards provided for linguistic minorities under this Constitution and report to the President upon those matters at such intervals as the President may direct, and the President shall cause all such reports to be laid before each House of Parliament." What I am pointing out is, he wants to do something for the protection of the linguistic minorities, is this enough? In the year 1955 we discussed the Scheduled Commissioner's report presented in 1953. In the year 1956 we are thinking of discussing the report for 1954. Therefore, what will happen? Supposing there are one thousand or one thousand five hundred complaints made that the linguistic minorities in different parts of India have been unfairly treated, what will happen? I am in majority in Bengal but I may be in minority in Bihar or Orissa or any other place. Therefore, it is a peculiar thing. A man belonging to majority in one place in India may belong to a linguistic minority elsewhere. I hope it may not be very difficult or insoluble after the passing of the Bengal-Bihar Transfer of Territories Act. But I know there are thousands of people on both sides of the border who are unhappy. There will still be in thousands, lakhs of people, speaking Bengali in Bihar, and also similarly in Bengal, people whose language is Hindi. Supposing the Bengalis want for the protection of their culture and language that they should be allowed to enter Viswa Bharti, the great University of Ravindranath Tagore, which is a national University, and suppose impediments are created, articles 29 and 30 give them the right. That is what I am contending. I think Mr. Anthony is right there. He is looking at it possibly from the point of view of his community. Similarly, Bihar people may say, or the people in Orissa may say that they want to sit for Prabhakar examination of some University outside Bihar or Orissa. They have got the right and if they are denied that right, then is this enough, "Difficulties of these students be indicated to the Linguistic Minorities Special Officer and he shall, throughout India consider all those cases, investigate into the matters under this article of the Constitution which is now going to be accepted and report to the President"? It will take him one year to do that. After one year it will be printed and placed before the Government, the President will have a look into that and then send it to us. It will take at least a couple of years before the thing comes before the Parliament. I, therefore, don't think, Sir, that Mr. Anthony's suggestion is absurd or unreasonable. I request the hon. Minister to consider his suggestion. His amendment says 'after sub-clause (2)—of Mr. Datar—add "(3) The decision of the Central Government on such report or reports shall be issued to the State or States concerned as a directive from the President, which directive shall be binding." ' Sir, we are not whittling down the authority of this sovereign Parliament. What we are saying is: these are fundamental rights. I have all along maintained that. The States Reorganisation Commission has also mentioned something about the examinations. The States Reorganisation Commission has said that Constitutional recognition should be given to the right of linguistic minorities to have instructions in their mother-tongue upto primary school stage subject to the number of students. Then, Sir, in article 30 it is implicit. It may be that Mr. Anthony is speaking for the Anglo-Indian community but it will be necessary for others also, may be for Hindi speaking groups living in non-Hindi areas. However unilingual you may try to make a State there will be bilingual belts, bilingual zones. Therefore, these problems are bound to arise and the

Commission points out that you cannot eliminate this problem altogether and, therefore, they say that this is very important. So, a large number of bilingual belts must be there in different linguistic zones or linguistic States. How can you eliminate that at the time of reorganisation? Therefore, what he is saying is that don't simply say that you give us a fundamental right and stop there. What is a fundamental right? Justice Shastri of the Supreme Court has said that kindly remember this that it is not merely a fundamental right which is of the same category as directive principle. It is something very sacred. Deliberately we have incorporated certain basic human rights in Part III of the Constitution. We think that the citizen should have the right of access to the Supreme Court for the purpose of enforcing and vindicating those rights. The remedial right is also a guaranteed fundamental right. He can go to the Supreme Court. But there may be poor people. It may be that they are Adibasis, it may be that they are Harijans, it may be that they are very very backward linguistic minority groups, and it may not be possible for them to come to the Supreme Court.

You know that under article 226 the High Courts are also available for the enforcement of fundamental rights. But we are told that in some Hight Courts over 5,000 applications under article 226 are pending, that is, thousands of mandamus, *certiorari* and *quo warranto* applications. God alone knows when they will be disposed of—possibly when acting and additional Judges will be appointed to clear up the arrears.

But would it be fair and would it be proper? One word from the Home Minister will solve the problem. By the time the man goes to the Supreme Court and the matter is decided finally and all the paraphernalia of parliamentary procedure is gone through, it may be that things would have become absolutely stale. It will take years and years. The man wants to sit for the examination of Viswa Bharati or Allahabad University. The linguistic group may be 500 or 450 in number. Then, what I am submitting is that it won't be fair to drive them on to the Supreme Court. So they have got that right, if you consider that this is a basic fundamental right which flows from article 30.

Therefore, this right should be given. It is not actually a right. It is your duty, duty to do what? The duty of the Central Government and this Parliament to see that this does not remain a mere pious platitude. Former Chief Justice Mahajan referring to the directive principles had said: 'You know that they are not fundamental. They are mere platitudes'. Therefore, do not make a platitude of a fundamental right. Make it a more effective right.

Therefore, I am submitting that this is something which ought to be taken into account. Unless there is some provision for that, it will merely remain on paper.

We have got similar articles. Take, for example, article 45. It says:

> "The State shall endeavour to provide, within a period of ten years from the commencement of this Constitution, for free and compulsory education for all children until they complete the age of fourteen years".

We are all endeavouring, but we are not providing. Therefore, do not think of having simply language like that. Do not drive them to the Supreme Court. In special cases, you take the power and responsibility. It is your duty, it is your moral duty, to enforce this basic human right. The Constituent Assembly has made it a sacred obligation on every functionary in the State to vindicate that right.

I am, therefore, saying that this is nothing improper, nothing unreasonable. I am not suggesting that a

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minority interest should be pushed beyond the zone of the cultural or linguistic area. If you push it to other areas like corporations, governing bodies, district boards or even Cabinets or sub-Cabinets, then it would lead to great disaster and separatist tendencies will continue, and, it may be that we shall imperil the development of national unity in this country.

Shri K. K. Basu: As I have stated on an earlier occasion, when the States are being re-shaped and re-drawn on the principle of linguistic redistribution, we could have minimised the problem of linguistic minorities if we had appointed a Boundary Commission. As Shri R. N. S. Deo said earlier, we could have finally re-shaped and re-drawn the political map of India in such a way that the problem of minorities would be reduced to the minimum.

Even then I am fully conscious of the fact that situated as we are, there are bound to be industrial areas and other places where there will be a cosmopolitan population. Also there are bound to be border areas where such minorities will exist. Examples have been cited of the Bengalis living in Bihar and the large percentage of non-Bengali population round about the city of Calcutta. Similarly, there are industrial cities like Jamshedpur, Bangalore and others.

Therefore, we for ourselves fully endorse the sentiments expressed by the SRC in this respect. I personally consider that the chapter dealing with the minorities is the one non-controversial in the whole Report, which has, more or less, the support of the entire people of the country. Though with regard to many other recommendations made by the SRC, we may have differences of opinion, the problem of the minorities has been very ably dealt with by the Commission in their recommendations.

We, therefore, thought that when the Constitution was being amended, we should lay down certain conditions which would guarantee and safeguard the rights of minorities and allay whatever fears might, rightly or wrongly, be entertained by certain sections of minorities. It is true that on many occasions the minorities have not had a proper deal. Examples have been cited of certain schools in Bihar not being allowed to teach Bengali. I am not going into the merits. There may be have been good reasons to do so as they say. We have heard of such situation in Assam also. Shri R. N. S. Deo gave examples of Oriya schools in portions of the State of Bihar.

I feel that the use of one's language is guaranteed in terms of article 45. In the new amended provision, we are saying that it is at the primary stage. I do not go into the merits. We have told that it is from stage to stage. But what I personally feel is that in terms of article 45 of the Constitution which says that there should be free and compulsory education up to the age of 14, every State Government should be instructed to impart education in the mother tongue to the boy or girl. I hope the Minister will keep this in mind so that when he advises or influences the decision of the State Governments, he will see that education is provided at least upto 14 years of age, because in many States I think a portion of the secondary education is, more or less, covered within that age.

But the most important part of this provision is the question of sanction behind it. A memorandum has been submitted by the Home Minister. At the time of the discussion in the Joint Committee, when the matter was thought out, the Home Minister said that he would come forward with detailed suggestions. His memorandum is probably the result of that. I fully concede that in the memorandum he has tried to tackle largely—very correctly—the problem of minorities and how it can be solved. But the most important part of it is the sanction behind it. As some Members

have pointed out, we have discussed three or four reports of the Commissioner for Scheduled Castes and Scheduled Tribes. But they, more or less, become academic discussions with very little result. I remember in one of the discussions, it was said that some Member belonging to the Scheduled Caste in U.P. or Madhya Pradesh was refused permission to use drinking water from the municipal tap in one of the important cities even though he was a municipal corporator Even such an important personage was refused this facility. It may be that in spite of directive or advice from the State Government, the particular machinery or the municipal authority does not fully accept it. So there is need for some sanction behind this.

I would urge that there should be some sort of code which will control and determine the manner in which the problem of minorities should be tackled. Otherwise, if it is simply left to the States to issue instructions which may or may not be followed, we might unnecessarily develop some bickering over the question of minorities. We feel that at least the Minister should bring forward before the House—on the lines of the memorandum which, we think, lays down principles which are fairly sound—a Code as to in which way the minority problem should be tackled by the States. The Commission that is to be appointed should have the power to advise the Government, who will naturally advise the President to issue a directive to the State Governments. On that point, I fully share the anxiety that has been expressed by my hon. friend, Shri Anthony and others. Some powers should be given to the President to issue directives which will have, more or less, a binding effect on the States. The States, rightly or wrongly, have very wrong notions and they may have a different approach to the problem of minorities. We know that even in the case of language, some complaints have been made that where there is a large concentration of Urdu-speaking people they do not get proper facilities because Parliament does not always have the opportunity to go into the details of the problem. I only urge that this aspect should be taken into consideration that mere advice alone will not be followed unless there is a certain sanction behind it. The President should have the right to issue a directive to the States regarding their dealings with the minorities.

I am fully conscious of the fact, as Shri Chatterjee has referred, that no problem of minorities can be tackled and no minority can have any safeguard or security unless they live in close co-operation with the majority community. We have seen how the question of minorities can never be solved without the sympathy and support of the majority community. Whatever State machinery there is, it can never guarantee to the minority communities their rights unless they choose to move along with the majority. Otherwise, it may have the effect of creating a separatist tendency.

With regard to the Zonal Councils we opposed the principle of the problems of the minority being discussed therein. We do not want that the Bengalis living in Bihar should not live with the majority and should go to the Chief Minister of Bengal for the protection of their interests. Similarly, the Biharis in Calcutta can certainly be looked after by the majority community. During the Bengal-Bihar merger discussions, in Calcutta not a single Bihari was touched in spite of some of the papers trying their best to engineer this feeling. Therefore, I fully concede that without the support and sympathy and friendly behaviour of the majority community, no minority can have any protection, however much it may be guaranteed in the Constitution or whatever Code there may be. Even when you are laying down certain principles, there should be a Code which should have some sort of sanction behind it that the President may issue directives to see that these

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Codes are being properly followed by the different State Administrations in tackling the minority problems.

With these words I commend my amendment.

Shri V. G. Deshpande: I want to oppose the amendment of the Home Minister which has been supported. It has been only a one-sided debate.

Mr. Deputy-Speaker: The hon. Member may have two minutes.

श्री वि० ग० देशपांडे : उपाध्यक्ष महोदय, अभी तक यहां पर जितने भी भाषण हुए हैं उन सब में अल्पसंख्यकों के लिए एक कमिश्नर की नियुक्ति का समर्थन किया गया है और मैं समझता हूं कि गृह मंत्री महोदय ने इस सम्बन्ध में जो सुझाव दिया है वह बड़ा भयानक है और देश के लिए अनिष्टकर सिद्ध होगा । मैं समझता हूं कि यह जो कहा गया है कि उनकी बातें सुनने के बाद उन पर अमल कराने के लिए कोई मशीनरी चाहिये, यह बात तो समझ में आती है परन्तु जानबूझ कर अल्पसंख्यकों के वास्ते एक कमिश्नर नियुक्त करना और उसको यह कहना कि वह शिकायतें दे, ऐसा कहने से तो आप उसको शिकायतें देने के लिये उत्तेजना देंगे ।

मैं समझता हूं कि सरहदी सीमा पर कहीं एक आध जगह पर कुछ ऐसी बातें हो गई है और जिनका कि हमारे महाराजा साहब ने जिक्र किया है और वहां के लिए तो उनकी इस तरह की बातें समझ में आ सकती ह और कुछ इस किस्म की खास व्यवस्था की भी जा सकती है लेकिन अगर कुछ अल्पसंख्यक लोग जाकर बम्बई, इलाहाबाद या दिल्ली आदि नगरों में रहते हैं, तो वहां के अल्पसंख्यक लोगों के लिए जानबूझकर एक कमिश्नर नियुक्त करना और उससे यह कहना कि वह अपनी शिकायतों का पुलिन्दा दे ताकि हस उनको लेकर अपनी रिपोर्ट बनायें, यह बात मेरी समझ में नहीं आती है और मुझे डर है कि अल्पसंख्यकों का प्रश्न जो आज तक जातीयता के नाम पर चलता रहा है अब भाषा के नाम पर और संस्कृति के नाम पर चलेगा और उतनी ही उग्रता से चलेगा जैसा कि अभी तक चलता रहा था । उदाहरणार्थ मैं ज्यादा डिटेल्स में न जाकर यह कहूंगा कि इसका प्रमाण हमको आज उत्तर प्रदेश में देखने को मिल रहा है और आज उत्तर प्रदेश के अन्दर संस्कृति के नाम पर और भाषा के नाम पर इस तरह का एक प्रथकतावादी आंदोलन चल रहा है और जो कि प्रान्त के हित और देश के हित में घातक सिद्ध होगा और मैं चाहता हूं कि इस तरह की एकता को भंग करने वाली और देश में कलह पैदा करने वाली प्रवृत्तियों को आप कृपया मत फैलाइये और इस बात की सावधानी रखिये कि आपके किसी कार्य से उनको उत्तेजन तो नहीं मिलता है । मैं समझता हूं कि द्विभाषी राज्यों का समर्थन करने वाले लोग ही इस तरह के एक अफसर की नियुक्ति की मांग का समर्थन कर रहे हैं और वे युनिलिंग्वल के खिलाफ इसीलिए थे कि किसी भी प्रान्त में रह कर वहां की जनता की भाषा बोलना उनको गवारा नहीं था और इसीलिए बहुभाषी प्रान्तों के निर्माण का समर्थन करके वे उस प्रान्त में रहते हुए भी जनता की भाषा न बोलकर दूसरी भाषा बोलेंगे और मेरा कहना है कि यह उचित नहीं है और यह नहीं चलेगा ।

मैंने खुद अपने अमेंडमेंट में यह चाहा है कि ऐडमिनिस्ट्रेशन और कोर्ट वर्क डिस्ट्रिक्ट, सबडिवीजन और ताल्लुक लैविल पर उन तमाम लैंग्वेजेज में कंडक्ट किया जाना चाहिए जिनके कि बोलने वालों की तादाद उस ऐरिया की टोटल पापुलेशन की १५ परसेंट हो और उसको मीडियम आफ एग्जामिनेशनस फौर सर्विसेज भी माना जाये और लोगों को प्राइमरी एजुकेशन उस जबान में लेने की सुविधा देनी चाहिए और इस तरह की व्यवस्था यदि की जाय तो वह तो समझ में आ सकती है लेकिन आप इस प्रकार से जो एक कमिश्नर की नियुक्ति और उसके द्वारा शिकायतों को देने की बात कर रहे

हैं तो उस से तो मैं सहमत नहीं हो सकता और मैं अपना विरोध प्रकट करना चाहता हूं ।

मैं सिद्धान्त के तौर पर युनिलिंग्वल के पक्ष में हूं और मैं आपको बतलाऊं कि हालांकि मैं मध्यभारत में अल्पसंख्यक हूं, मेरी भाषा भी अल्पसंख्यक है लेकिन मैं यह मानने को तैयार नहीं हूं कि मैं अल्पसंख्यक हूं और मैं तो ऐसा मानता हूं कि जहां कहीं हिन्दुस्तान में मैं जाता हूं वहीं मैं मैजारिटी में हूं और इस भावना को लेकर मैं चलता हूं । मैं आपसे पूछता हूं कि पंडित नेहरू जो कि काश्मीर से उत्तर प्रदेश में आये वे अगर उत्तरप्रदेश की हिन्दी भाषा को न अपनाते और अपने को अल्पसंख्यक समझते तो वे पूरे देश भर के नेता कैसे बन सकते थे । दिल्ली की तरफ आंखें लगाने में ही राष्ट्रीयता बढ़ेगी, ऐसा मैं नहीं समझता हूं । जहां तक प्रेसीडेंट द्वारा डाइरेक्टिव्स दिये जाने का सवाल है, और आया उसकी आवश्यकता है या नहीं, उसमें न जाकर मैं तो समझता हूं कि यह एक बड़ा भारी खतरनाक सुझाव है और मैं समझता हूं कि हमारे गृह मंत्री महोदय इस तरह का सुझाव श्री अशोक मेहता, श्री एन्थनी और अन्य जो पुराने लोग हैं और जो इस प्रकार से पार्लियामेंट पर दबाव डालते हैं, उनके प्रैशर टकटिक्स में और दबाव में हमारे गृह मंत्री महोदय आ गये हैं और जिसके कि लिये मुझ दुःख है ।

Pandit G. B. Pant: Sir, so far as basic matters go, I am generally in agreement with most of the speakers who have spoken on this subject today. I have more than once emphasised the desirability and also the necessity of providing such an environment for every section of the community and for every citizen in this land as would give him ample facilities for participation in the public life of the country, for enjoyment of the amenities and privileges which our land may be able to provide. So, so far as the fundamental question goes, I think, I would not lag behind any other Member in my solicitude for the linguistic minorities.

I do not see where really the rub comes in. My own feeling is that Shri Anthony is still labouring under a delusion. The Raja Saheb of Patna spoke about the safeguards being illusory. I would not use a strong expression but I do feel that anyone perusing the statement and memorandum issued by me would feel convinced that no better safeguards could possibly be devised. They did not suggest any, in any case.

Shri R. N. S. Deo: I have given my amendment.

Pandit G. B. Pant: If these safeguards are illusory, then, his whole notion of safeguards seems to be either mis-conceived or based on ideas which are not connected with realities at all. Anyway, I do not want to go into that matter as I hold that so far as the policy statement goes, it is difficult to improve upon it and that, I venture to conclude, is the general opinion of the most enthusiastic among the Members and those interested in this problem here.

What have we done? Shri Anthony said that I have not acted according to the Commission or what I have said was not consistent with the Commission. I would again repeat that he does not seem to have attached proper importance to the views expressed by the Commission and to have assessed them in a correct perspective. I will refer to what the Commission says so far as this matter is concerned.

The first thing that the Commission says is in para 766. It says:

> "If the relevant provisions of the Indian Constitution are compared with the corresponding provisions of some of the European constitutions it will be found that the substance of fundamental right usually guaranteed to minorities in other countries is provided for

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under our Constitution, except for the right to receive instruction in the mother-tongue in State or municipal schools at the primary stage."

So, taking even the most advanced country in the world, our fundamental rights provide most effective safeguards for minorities. If there were any omission, it was with regard to primary education, and about that we have made a provision now in this Bill. In this new provision in clause 21 of the amending Bill, we have provided—

"It shall be the endeavour of every State and of every local authority within the State to provide adequate facilities for instruction in the mother-tongue at the primary stage of education to children belonging to linguistic minority groups and President may issue such directions to any States as he considers necessary or proper for securing the provision of such facilities."

Again, I woud refer to the Report of the Commission.

The Commission says:—

"After carefully examining the background of the question, the reasons why the suggestion for making suitable provision in the Constitution on the subject did not find favour with the Constituent Assembly, and the views expressed before us, we have come to the conclusion that the right of the minorities to have education in the mother-tongue at the primary stage, subject to a sufficient number of students being available, should be placed on a more stable footing than is the position at present. We, therefore, recommend that constitutional recognition should be given to this right....."

Accordingly we have made this provision. As you will find, this right can be exercised when there is an adequate number of students. That is also the resolution of the Education Ministers' Conference on the policy which has been accepted by all minority groups as well as majority of the people. This clause provides that the resolution will be put into effect, and if there is any failure in any place, then the President may issue a directive to that effect. That is specifically provided in this clause.

The next question relates to the secondary education. Here I have dealt with the matter fully in my Memorandum. The Commission says—I will not read the whole of the paragraph—

"It is, of course, clear that, so far as secondary education is concerned, it will have to be treated differently from the education at the primary stage. We, therefore, do not recommend the extension of the principle of the constitutional recognition of the right to have instruction in mother-tongue to secondary education."

So, they did not suggest any provision in the Constitution.

Shri Frank Anthony: I never made any grievance of primary or secondary education.

Pandit G. B. Pant: I will come to that of which you have made a grievance and I will satisfy you that you have no cause to be aggrieved. He has no grievance against it. In fact, I have gone further because Shri Anthony made a suggestion in the Joint Committee that in the matter of affiliation of institutions, he had been faced with certain difficulties, and in order to get over them, I put in a paragraph in this Memorandum, that is, whatever was suggested to me or came to my knowledge as being a subject which has ever caused any difficulty to the minorities I have tried to include that in this Memorandum. It is of a far-reaching character and it should satisfy not only a reasonable person but an unreasonable enthusiast also.

Now the point that has been raised is that there is no effective way of enforcing these safeguards. I will repeat what I have said previously and what has also appeared in the Report of the Commission. I do not want to do anything that would unnecessarily create difficulties for linguistic minorities. While making every reasonable provision for safeguarding their interests, as I said before, I do not want to rub the State Governments the wrong way. That does not mean that I would not like to have the ultimate power to enforce the safeguards that are being provided. What did the Commission provide by way of safeguards? What did it say? If you will refer to paragraph 793, the Commission has stated—

> "One suggestion that has been made to us is the creation of a Central Ministry for Minority Affairs. Since the Centre's responsibility, under the scheme we have in view, will be confined to the enforcement of safeguards in the educational field and to making arrangements for the use of the minority languages in the administration, a separate Central Ministry will not be justified."

That, is, the safeguards referred to two matters—the safeguards in the educational field and arrangements for the use of minority languages in the administration. As to the safeguards in education, they had suggested that a provision should be made in the Constitution about primary education. About secondary education, they said that no provision shall be made in the Constitution. So far as that goes, a directive is already there, that is, now article 350A provides a directive; it says that the President shall issue a directive if the States fail to carry out the purpose that has been defined and laid down there in clear and unambiguous terms.

The other matter relates to the use of minority languages for official purposes. That is covered by article 347. What does article 347 say? Again article 347 lays down that directives will be issued. The President will have the power to issue directives under article 347. All that is stated in my Memorandum relates either to education or to the use of minority languages in administration.

3 P.M.

So, we have the power to issue directives under the Constitution for these two purposes, and the safeguards as have been suggested by the Commission are covered by the provisions existing in the Constitution and the one that is being introduced by me. Then, what more do you want? Do you want your directive to be written on the forehead of every man who goes on the street so that it may be seen by everyone and it may cause irritation unnecessarily to others; or do you want the power to issue directives if the purpose which the safeguards have before them is not carried out? So, what I am saying is this, that we have really done more than what the Commission contemplated or had advised us to do. In fact the Commission said definitely—I think Mr. Anthony has read it—it said that no provision should be made in the Constitution with regard to these matters except the one relating to primary education, to which I have already referred. Apart from that the Commission was definitely of the opinion that no other provision should be made in the Constitution.

Shri Frank Anthony: May I ask the Home Minister what is his interpretation of this last sentence in paragraph 799 of the Report of the Commission, "The decision of the Central Government should be issued as a directive from the President"?

Pandit G. B. Pant: Yes. I must say that so far as these safeguards go, we have the authority to issue these directives; that is about primary education, about the use of official language. No provision in the Constitution is needed for that. And read the next sentence after that. Please read that out. What does it say? Kindly read it out. Well, I will read

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it out. It says: "The arrangement which we have suggested will involve no constitutional amendment". You are asking me to make a constitutional amendment. I say it is not necessary; there is already provision in the Constitution. And where it was necessary it has already been made. In fact, in making this constitutional arrangement about the appointment of a Special Commissioner for investigating matters pertaining to linguistic minorities and for having his report considered by Parliament, we are making a provision in the Constitution which was never in the contemplation of the Commission. And the Commission did not want any sort of provision to be made in the Constitution, except with regard to the right of minority groups to receive primary education, their members being educated and so on. Apart from that, the Commission did not suggest any sort of provision in the Constitution. So, I submit that we have gone beyond it. But that is a minor matter.

The real point is this, whether the purpose that we have in view will or will not be served by the Constitution as it is, whether it does or does not enable us to issue directives if we choose to do so with respect to matters which have been dealt with by the Commission and which have been provided for by us, that is safeguards for education and safeguards for the use of official language. Both of these are covered by the provisions existing in the Constitution today. It is not necessary for us to wait for the discussion of the report of Special Officer. We can do so even before that report is discussed. We can do so even if we receive a representation. You want to tie my hands and say "Do not do so till you have received the report"—which will come in 1958 for 1956, and then it will be discussed in 1959 here, and in 1960 I should issue some directives and not till then! I say, it is not necessary. I have the authority today to issue directives if I choose to do so. While I have that authority, I do not want to emphasise it; I do not want to lay stress on it, because it is not in the interests of the cause which I cherish. I want the minorities to have all facilities, and if I create a feeling in the streets that people are going to be compelled by me today, I do not think it will serve the interests of the minorities. I say I rely on the States. I expect them to be generous, to be considerate, and to do all to the minorities which can possibly be done. So, I trust them. I do not want to create a feeling of distrust from today. So, I do not want to introduce what is not necessary. Why do you want a redundant thing to be put in, which will only irritate others and not ensure for you anything more than what you have today?

Shri Frank Anthony: May I respectfully ask you a question? I understand that the proposed article 350A will give powers of issuing directives in respect of primary education. So you do not want anything. And article 347 will give powers in regard to regional language. But about other things, cultural and educational matters.....

Pandit G. B. Pant: What do you mean by other things?

Shri Frank Anthony: Any other thing.

Pandit G. B. Pant: Different from what.....

Shri Frank Anthony: Right of affiliation and things like that.

Shri K. K. Basu: He is referring to right of affiliation.

Shri Frank Anthony: Mr. Chatterjee explained that certain rights flow from article 29. Those rights will not be governed by any directive principles.

Pandit G. B. Pant: So you want to provide that there should be directives for all those things which are not within our contemplation today; that in respect of anything that may happen hereafter we should have the right

to interfere with the discretion of the States in their autonomous spheres?

Shri Frank Anthony: Mr. Chatterjee explained that under article 29.....

Pandit G. B. Pant: Mr. Chatterjee's speech indicated that he was going to oppose you, so far as I could follow!

Shri Frank Anthony: Under article 29, all cultural, educational and other interests are protected.

Pandit G. B. Pant: In regard to articles 29 and 30, I think that so far as your right to affiliate an institution outside a particular State is concerned, presumably the Central Government would be justified—I cannot say; it will be a matter to be considered—would be justified in advising a State to let you enjoy that privilege and not come in your way.

Shri Frank Anthony: But you could not issue a directive.

Pandit G. B. Pant: Perhaps I might.

Shri Frank Anthony: But you could not.

Pandit G. B. Pant: That is your view. If you do not want, I will not. I myself feel the other way. What I feel is that if you cannot issue a directive, simply by saying that we shall issue a directive, we do not acquire the rights for issuing a directive. We must have a constitutional right to impose certain orders, certain directions, on the State Governments; and it is only with respect to the powers so vested in us that we can issue a directive. Simply by saying that the Central Government will issue a directive about all things on earth.....

Shri N. C. Chatterjee: Not all things on earth.

Shri Frank Anthony: Only with regard to articles 29 and 30.

Pandit G. B. Pant: I may tell you this. If there is anything that comes within articles 29 and 30, then there is a clause in this Constitution itself—I think it is article 355—which lays down.....

Shri Frank Anthony: We do not agree with Pandit Thakur Das Bhargava's interpretation.

Pandit G. B. Pant: Then what I would say is this, that if you do not agree with him you better try to arrange things in such a way that the need for interference by others may not arise and things may be settled amicably. The article lays down:

> "It shall be the duty of the Union to protect every State against external aggression and internal disturbance and to ensure that the government of every State is carried on in accordance with the provisions of this Constitution."

If there is any provision in this Constitution which is binding on a State and on everyone here, that State should act up to the provisions of this Constitution. If it does not, the duty is cast upon the Central Government to see that the State complies with the provisions of the Constitution.

Shri Frank Anthony: If that is the Home Minister's interpretation that the Central Government has the inherent right to direct, then I am completely satisfied.

Pandit G. B. Pant: So far as the provisions that are contained in the Constitution are concerned, they are binding on me, on you and on every State. You can go to the court. I do not stop there. Even if you do not go to the court, it should be my endeavour to see that the Constitution is respected by everybody and that the provisions of the Constitution carried out, from day-to-day in an unconditional manner. (*Interruptions*).

Mr. Deputy-Speaker: I would submit that, if the Chair is addressed, perhaps these difficulties would not arise.

Pandit G. B. Pant: I am sorry, Sir.

Shri Frank Anthony: I am quite satisfied.

Pandit G. B. Pant: Then, I need not argue the matter further.

Mr. Deputy-Speaker: We will take up the amendments. I shall now put to vote amendments Nos. 151, 29, 117, 152 and 153 which are all for the insertion of a new clause 2A.

The question is:

Page 4—

after line 18, *insert*:

'2A. *Amendment of article 2.*— In article 2 of the Constitution, after the words "new States" the words "or Union territory" shall be inserted.'

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 4—

after line 18, *insert*:

'2A. *Amendment of article 30.*— In article 30 of the Constitution, after clause (1), the following clause shall be inserted, namely:—

"(IA) All linguistic minorities shall have the right to affiliate educational institutions established or administered by them to an examination of their choice in any part of India".'

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 4—

after line 18, *insert*:

'2A. *Insertion of new article 51A.*—After article 51 of the Constitution, the following article shall be inserted, namely:—

"51A. The State shall endeavour to form Zonal or other Councils of two or more States to foster a sense of inter-dependence among neighbouring States, to facilitate co-operative effort for the co-ordinated and speedy economic development of large regions covering more than one State."'

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 4—

after line 18, *insert*:

'2A. *Amendment of article 79.*— In article 79 of the Constitution and wherever they occur in the Constitution, for the words "Council of States" the words "Pradesh Sabha" shall be substituted.'

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 4—

after line 18, *insert*:

'2A. *Amendment of article 79.*— In article 79 of the Constitution and wherever they occur in the Constitution, for the words "House of the People" the words "Lok Sabha" shall be substituted.'

The motion was negatived.

Mr. Deputy-Speaker: Now amendments to clause 21.

Shri Frank Anthony: There is a verbal amendment which I have moved to the amendment of Shri Datar.

Pandit Thakur Das Bhargava: Sir, he wants a discriminatory treatment. He wants a reply to all his amendments. My amendments have not been replied to.

Mr. Deputy-Speaker: If others are satisfied, Panditji would also be satisfied. I find that no hon. Member wants that his amendment should be put to vote separately.

Shri Frank Anthony: My amendment No. 198 has been accepted by the Government.

Mr. Deputy-Speaker: There is a Government amendment to amendment No. 183. The number is 220. I shall put it to the vote of the House.

The question is:

'That in the amendment proposed by Shri Datar, printed as No. 183 in List No. 19 of amendments—in clause (2), *add* at the end:

"and sent to the Governments of the States concerned".'

The motion was adopted.

Shri Datar: We have to put to vote the amendment No. 198 moved by Shri Frank Anthony.

Mr. Deputy-Speaker: He is not pressing it.

Shri Datar: He is not pressing No. 199. We have accepted this amendment, No. 198.

Mr. Deputy-Speaker: The question is:

That in the amendment proposed by Shri B. N. Datar, printed as No. 183 in List No. 19 of amendments:

in sub-clause (2),

for "minority groups" *substitute* "minorities".

The motion was adopted.

Mr. Deputy-Speaker: I shall put Government amendment No. 183 as amended by these two amendments, Nos. 220 and 198.

The question is:

Page 11—

after line 3, *add*:

"350B. *Special Officer for linguistic minorities.*—(1) There shall be a Special Officer for linguistic minorities to be appointed by the President.

(2) It shall be the duty of the Special Officer to investigate all matters relating to the safeguards provided for linguistic minorities under this Constitution and report to the President upon those matters at such intervals as the President may direct, and the President shall cause all such reports to be laid before each House of Parliament and sent to the Governments of the States concerned."

The motion was adopted.

Mr. Deputy-Speaker: I shall put all other amendments to clause 21 to the vote of the House.

The question is:

Pages 10 and 11—

for clause 21, *substitute*:

'21. *Insertion of new articles 350A and 350B.*—After article 350 of the Constitution, the following articles shall be inserted, namely:—

"350A. *Facilities for instruction in mother tongue.*—(1) Every State Government and local authority shall provide facilities for instruction in the mother-tongue at the primary stage and also at the secondary stage whenever the students belonging to a linguistic minority number 40 or constitute 15 per cent. of the total number of students whichever is less.

(2) Where the majority language of any area of a State is other than the regional language of the State, schools in that area shall be established in the majority language of the area and other linguistic groups in that area shall enjoy the facilities mentioned in clause (1) of this article.

(3) Whenever not less than 250 pupils or parents belonging to the linguistic minorities group in any area desire the establishment of a school in a particular language, it shall be the duty of the State or local authority to provide the same.

(4) A college in the language of the minority shall be provided wherever needed and practicable.

(5) Educational institutions in languages other than the regional

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language of the State, may be allowed to be affiliated to a Board or University outside the State where such language is the official language of that State in which such Board or University is situated.

350B. *Other facilities for linguistic minorities.*—(1) The single majority language in any district or sub-division, where it is other than the official language of the State, shall be recognised as the official language of that district or sub-division.

(2) Minority languages spoken by not less than 15 per cent. of the population of a State, shall be recognised as the media in examinations conducted for State services, and in the case of examinations conducted for recruitment to the lower services at district or sub-divisional level, the single majority language of the district or sub-division, if it is different from the language of the State, shall be recognised as media.

(3) Every State shall arrange for issuing official notices in the language of the linguistic minorities—

(i) throughout the State where such minorities constitute at least 15 per cent. of the population of the State; and

(ii) in a district or sub-division when such minorities constitute at least 15 per cent. of the population of that district or sub-division."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Pages 10 and 11—

for clause 21, *substitute*:

"21. *Insertion of new articles 350A to 350G.*—After article 350 of the Constitution, the following articles shall be inserted, namely:—

'350A. Every State Government shall provide facilities for the education of the linguistic minorities in its territory on the following lines—

(a) primary and secondary schools or separate classes in existing schools with the language of the minority as medium of instruction shall be provided wherever the students belonging to the linguistic minority number 40 for primary and 100 for High Schools or constitute 15 per cent. of the students in the schools, whichever is less; and

(b) a college in the language of the minority shall be provided wherever needed and practicable.

350B. Every State Government shall as far as practicable arrange for issuing of Government notices in the language of the minority and provide facilities for representation in their language wherever such linguistic minority forms a prescribed percentage of the population which may be between 15 to 20 per cent.

350C. In the judicial courts of an area concerned the language of the minority shall be recognised for the purposes of the court, if the minority constitutes about 20 per cent. of the population under the jurisdiction of the court concerned.

350D. In towns, cities and other local areas wherever any linguistic minority forms about 20 per cent. of the local area concerned the minority language shall also be recognised for the purpose of administration of the local bodies concerned.

350E. In any bilingual area where the minority language is spoken by 30 per cent. or more of the population, the administration of the area shall be carried on in both the languages of the area.

350F. In any bilingual area where the linguistic minority constitutes not less than 50 per cent. of the population, minority council should be established in such manner and with such powers as Parliament may by law prescribe for the protection, safeguard and well-being of such minorities and their languages.

350G. (1) There shall be established a suitable authority in the State and in the Union to report to the President regarding the representations made by the minorities and the working of the guarantees and the protection given to the minorities. Each such report shall be laid before Parliament.

(2) After the report has been discussed by Parliament, the decision of the Central Government shall be issued to the State Government concerned as a directive from the President which shall be binding on the State Government'."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 10, line 36—

for "endeavour" *substitute* "duty".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 10, line 36—

for "endeavour" *substitute* "obligation".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 10, line 38—

after "primary" *insert*:

"and secondary".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 11, line 2—

for "securing" *substitute* "guaranteeing".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

That in the amendment proposed by Shri B. N. Datar, printed as No. 183 in List No. 19 of amendments—

after sub-clause (2), *add*:

"(3) The decision of the Central Government on such report or reports shall be issued to the State or States concerned as a directive from the President, which directive shall be binding."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 11—

after line 3, *add*:

"350D. Subject to the other provisions of the Constitution it shall be the duty of every State Government to provide for the reasonable representation in Local Self-Government bodies, councils and the Cabinets of the State, to the linguistic minorities group due regard being had to the population of the groups and the efficiency of the administration."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 11—

after line 3, *add*:

"350B. It shall be the endeavour of every State to improve the economic and social conditions of the backward classes and linguistic minority groups and bring them in line with the rest of the State and to secure this purpose it shall be the duty of the State to allocate equitably develop-

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ment funds subject to the other requirements of the entire State, for the social and economic needs and welfare of the backward classes and linguistic minority groups."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 11—

after line 3, *add*:

"350B. It shall be the duty of every State to duly consider and give effect to the claims of linguistic minorities group for employment in the public services of all kinds and grades consistent with the maintenance of efficiency of administration and the possession of technical or professional qualifications necessary for any particular post or kind of service."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 11—

after line 3, *add*:

"350B. (1) There shall be a Special Officer for linguistic minorities group to be appointed by the President.

(2) It shall be the duty of the Special Officer to investigate all matters relating to the safeguards provided for linguistic minorities group in this Constitution and report to the President upon the working of the safeguard at such intervals as the President may direct and the President shall cause such reports to be laid before Parliament for discussion.

(3) The President upon such report being presented and discussed as provided by the preceding sub-clause shall issue such directive as he considers necessary or proper to the State Government and such directive shall be complied with by the States concerned."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 11—

after line 3, *add*:

"350B. (1) If the President is satisfied from any report by the Governor or complaint of person concerned or otherwise that the State Government is disregarding the safeguards for linguistic minorities group and is not properly looking after the interests of linguistic minorities group or backward classes in the State, he shall appoint a Special Board consisting of a member of Planning Commission as its president and two other persons whom he considers to be competent for the job to draw up schemes for taking measures to meet the special social, economic and other needs of such group or classes.

(2) The President may on being satisfied that such scheme is necessary to be implemented in the interest of linguistic minorities group or backward classes, order the State Government to give effect to the scheme within such time as he considers feasible and proper. Such order shall be deemed to be a directive within the meaning of the articles 355 and 365 of the Constitution."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 11—

after line 3, *add*:

"350B. Wherever a linguistic minority forming a prescribed percentage of the population to be notified by the President de-

mands that representations may be received by the Government and the work of the Judicial Courts and local bodies of the area be conducted in the language of the minority community, such directions must be issued so that provision of such facilities are secured.

350C. In any bilingual area where the linguistic minorities constitute 40 per cent. or more of the population, a Minority Council may be established in any manner or with such powers as Parliament may law prescribe for safeguarding their rights.

350D. (1) There shall be constituted a suitable authority in the State and in the Union to report to the President regarding the representations made by the minorities and the working of the guarantees and the protection given to the minorities. Each such report shall be laid before Parliament.

(2) After this report is ducussed by Parliament, the decision of the Central Government shall be issued to the State Government concerned by the President, which directive shall be binding upon the State Government."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Pages 10 and 11—

for clause 21, *substitute*:

"21. *Insertion of new article 350A and 350B.*—After article 350 of the Constitution, the following articles shall be inserted namely:—

"350A. (1) Every State Government and Local authority shall provide facilities for instruction in the mother tongue at the primary stage and also at the secondary stage wherever the students speaking a language other than the regional language number 40.

(2) Where the majority language of any district or taluq is other than the regional language of the State schools in that area shall be established in the majority language of the area and other linguistic group or groups in that area will enjoy the facilities mentioned in clause (1) of this article.

(3) Whenever not less than 250 pupils or parents speaking a language other than the regional language desire the establishment of a school in a particular language it shall be the duty of the State or Local authority to provide the same.

(4) A college in a language other than the regional language shall be provided by the State if the number speaking such a language so warrants it and if it is practicable.

(5) Educational institutions in languages other than the regional language of the State may be allowed to be affiliated to a Board or University outside the State where such language is the Official language of that State in which such Board or University is situated.

Explanation.—A language in this article means one of the Indian languages recognised by the Constitution.

350B. *Other facilities for linguistic groups who speak a language other than the regional language.*—(1) The single majority language in any district, subdivision, taluq, tehsil, or a town and a city where it is other than the official language of the State shall be recognised as the official language of that district, subdivision, taluk, or tehsil or a town or a city.

(2) A language spoken by not less than 15 per cent. of the population of a State shall be recognised as a medium in exami-

[Mr. Deputy-Speaker]

nations conducted for State Services and in the case of examinations conducted for the lower services at district, sub-division or taluk level, the single majority language of the district, sub-division or taluk if it is different from the official language of the State, shall be recognised as medium.

(3) (a) Every State shall arrange for issuing official notices in all the languages of the State whose number is above 15 per cent. of the total population of the State.

(b) The administration and the court work at district, sub-division and taluk level will be conducted in all languages of such district, sub-division or taluk whose number is above 15 per cent. of the total population of such area."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 11—
after line 3, *add*:

"Provided that when any State is divided into regions and provision is made for the constitution of regional committees in such States, then the facilities for instructions as provided aforesaid shall be available to children belonging to linguistic minority groups in each of such regions:

Provided further that the mother-tongue of a child shall be that which will be declared by his or her parents or guardians."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 11—
after line 3, *add*:

"350B. It shall be the endeavour of every State to make special provisions for the advancement of any socially and educationally backward classes of the citizens and linguistic minority groups in matters relating to employment or appointments to any office under the State consistent with the proportion of population and to secure this object or purpose, it shall be the duty of the State to allocate equitably development funds subject to the other requirements of the State for the welfare of the backward classes and linguistic minority groups."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 11—
after line 3, *add*:

"350B. *Special Officer for advancement of socially and educationally backward classes and for linguistic minorities.*—(1) There shall be a Special Officer for the above group to be appointed by the President.

(2) It shall be the duty of the Special Officer to investigate all matters relating to the Directive Principles and to the safeguards provided for the above groups under this Constitution and report to the President upon those matters with his recommendations at such intervals as the President may direct, and the President shall cause all such reports to be laid before each House of Parliament."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Pages 10 and 11—
for clause 21, *substitute*:

'21. *Insertion of new article 350A.*—After article 350 of the Constitution, the following article shall be inserted, namely:—

"350A. (1) There shall be a Special Officer for the linguistic minorities to be appointed by the President.

(2) It shall be the duty of the Special Officer to investigate all matters relating to safeguards provided for linguistic minorities in this Constitution or any representation made by such minorities and report to the President at such intervals as the President may direct, and the President shall cause all such reports to be laid before each House of Parliament.

(3) After the report has been discussed in Parliament, the President shall issue such direction to any State as he may deem proper and such directions shall be binding on that State.

(4) In this Constitution reference to language means any of the fourteen languages enumerated in the Eighth Schedule and "Linguistic minorities" means in respect of a State a minority speaking a language which is spoken by at least 15 per cent. of the population of the State and in respect of a sub-division or district a minority speaking a language which is spoken by at least 15 per cent. of the population of that sub-division or district:

Provided that in a multilingual or bilingual area of a State, the single majority language spoken in the area shall be deemed to be the majority language in each sub-division or district and the other language or languages spoken by 15 per cent. or more of the population shall be deemed to be minority languages in the area concerned.".

The motion was negatived.

Mr. Deputy-Speaker: I shall put amendments Nos. 35 and 34 for the insertion of a new clause 21A to the vote of the House.

The question is:

Page 11—

after line 3, *insert*:

'21A. *Insertion of new article 364A.*—After article 364 of the Constitution, the following article shall be inserted, namely:—

"364A. *Special provisions as to 'minorities.*—(1) The term 'minority' shall include any section of citizens having a distinct language, script or culture of its own.

(2) There shall be a special officer for the minorities to be appointed by the President. It shall be the duty of the officer to investigate representations by minorities and report to the President upon such representations at such intervals as the President may direct and the President shall cause each such report to be laid before Parliament.

(3) After the report has been debated by Parliament, the decision of the Central Government, shall be issued to the State concerned as a directive from the President, which directive shall be binding on the State."'

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 11—

after line 3, *insert*:

"21A. *Amendment to article 366.*—In article 366 of the Constitution, after item (15), the following item shall be inserted, namely:—

'(15A) Linguistic minority group means and includes—

(i) group of people residing in the region for which Regional Committee is formed and which consisting of people not forming the majority of the population in the State;

(ii) group of people speaking any one of the languages mentioned in the Eighth Schedule of the Constitution and consists of not less than 25 per cent. and not more than 50 per cent. of the entire population of the State.'".

The motion was negatived.

Clause 22.— (*Substitution of new article for article* 371).

Mr. Deputy-Speaker: We take up clause 22.

Shri K. K. Basu: Sir, I will not take a long time. I have an amendment to clause 22—No. 24, which is of a general character. Clause 22 deals with the formation of regional committees for Andhra Pradesh and Punjab. There is also the new amendment to be moved by Shri Pataskar regarding the formation of a development council for the new Bombay State. I am not as such opposed to the regional formula if it is accepted by all sections of the people but the way it has been done does not satisfy us very much. I feel that this formula has been adopted more or less as a method of political expediency and to some extent, it is a surrender to certain tendencies in particular areas.

My amendment reads:

Page 11—

for lines 6 to 14, *substitute*:

"371. (1) Notwithstanding anything in this Constitution, the Parliament may, by law, with respect to any State provide for the constitution and function of regional committees for the protection and safeguard or the rights and special privileges of any linguistic minority and the tribal people and their well-being and may authorise the President to make such modifications in the rules of the business of the Government of the State and in the rules of procedure of the Legislative Assembly of the State and for any special responsibility of the Governor in order to secure the proper functioning of the regional committees."

I want to have the general clause due to certain reasons. States are being formed on the basis of linguistic principle and yet there is bound to be some linguistic minority. In many States we may have a good chunk of tribal population who may be a minority in the whole State but it may be concentrated in a particular area. Certain guarantees are given to these people. Still, there is a tendency among certain sections of the people to claim a separate State. We should put a stop to this sort of a tendency. I can give an example. There has been a claim for a Jharkand State in Bihar. If their interests are not well-protected, people would want to get them, which we do not support. Similarly, in North Bengal, round about Darjeeling, there is a big chunk of tribal population and there are certain sections there who have been demanding that there should be a separate State of their own. We feel that their fears can be allayed if regional committees are formed within the set-up of the over all State legislature with certain restrictive rights, as in the case of Punjab. They will see that their interests in the over-all State are properly protected and the demand for a separate State could not get so much support.

According to my amendment, Parliament is given the right, where necessary, to form regional committees. It is very restricted in scope. Regional committees are formed only in Punjab and Andhra Pradesh and there is a development committee proposed for the bigger Bombay State. Here, we find that a compromise has been arrived at without consulting the people. But, I am not disputing that now.

I only want this clause of a general nature. According to the condition of a particular area it should be left for the Parliament to decide to set up regional committees. There has been, I understand, general agreement among a big section of the people of Punjab for the proposal. Similarly, in the new Andhra Pradesh, the agreement of the two sections which will constitute Andhra Pradesh has been taken. I do not know if the people want it. So, Parliament has to keep in view the interest of the people of a particular area and it should have the power to form regional councils.

It will add to the welfare of the linguistic minorities who form a big chunk of the population. I hope the Minister will accept my amendment.

Shri N. C. Chatterjee: Mr. Deputy-Speaker, Sir, I want to speak on my amendment No. 114. Amendment No. 114 seeks to change certain words in page 11, line 7, clause 22. Clause 22 says:

> "For article 371 of the Constitution, the following article shall be substituted, namely:—
>
> '371. (1) Notwithstanding anything in this Constitution, the President may, by order made with respect to the State of Andhra Pradesh or Punjab, provide for the constitution and functions of regional committees of the Legislative Assembly of the State, for the modifications to be made in the rules of business of the Government and in the rules of procedure of the Legislative Assembly of the State and for any special responsibility of the Governor in order to secure the proper functioning of the regional committees'."

There I want to say that the President should not be given this power but the Parliament may, by law with respect to the State of Andhra Pradesh or Punjab, provide for the constitution and functions of regional committees.

Then I have got amendment Nofi 115 which seeks to insert after clause (1) of new article 371, another clause (1A) which reads like this:

> "(1A) With respect to the State of Punjab provision may be made for the establishment of two or more separate Development Boards for the different regions and for the equitable allocation of funds for developmental expenditure over these regions, and also for an equitable arrangement providing adequate facilities for the development of Hindi and for technical and vocational education subject to the requirements of the State as a whole".

There is another amendment, amendment No. 116, standing in my name and the name of Shri V. G. Deshpande, by which also we want to substitute the words "Parliament may by law" for the words "President may by order" in clause (2) of this article. We want to say: "Parliament may, by law with respect to the State of Maharashtra" instead of "Parliament may by order made with respect to the State of Maharashtra" which will now be, I take it, "Bombay".

Sir, two days back I made my submissions as to why I was opposed to this regional formula business in Punjab. I will summarise my submissions for the consideration of this House. Firstly, I am afraid that this regional formula will accentuate communal differences and create more cleavage in the Punjab. My second point is that this regional formula, as it has been framed and placed on the Table of the House by the hon. Minister, militates against the basic principles of democratic government and strikes at the root of the constitutional set-up for State Governments as envisaged by this Constitution. Thirdly, I contend that it has not evolved a way for convenient transaction of governmental business as it alleges to be. It is a mere profession but that is not a fact, because, if it was so, certainly much more unwieldy States like the State of Uttar Pradesh or the new State of Madhya Pradesh would have had such regional committees.

My next point is that it will introduce into the Constitution of India, for the first time after India attained independence, a diarchical form of government which is very unworkable and which, from experience we know, always creates difficulties, impediments, creates cleavages and does not at all conduce to smooth working of a democratic government. The next point that I want to mention is that

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it will really weaken the principle of joint responsibility of the State Cabinet. We know that is the fundamental principle on which a democratic government based on parliamentary methods is set up. Cabinet responsibility means joint responsibility of the entire Cabinet which reflects the people of the entire State. But here, Sir, it will be a diarchy, a loose federation of two sub-States, and therefore I am opposed to it.

But my next point is more fundamental. I made it the other day and I want again to re-emphasise it. I would appeal to my hon. friend the Minister for Legal Affairs, who appreciates this point, to give due consideration to it. Is it right, is it consistent with democratic principles, is it in accordance with the spirit of our Constitution to vest supreme overriding powers in the Governor? It will be really undemocratic, it will be unconstitutional. When I say this, I want to point out that it will not be right for this Parliament to say: 'notwithstanding anything in the Constitution of India, the President may by order direct that the Governor of Punjab, or the Governor of some other State, may completely override the clearest expression of the democratic will expressed by the elected representatives of the people'. Supposing, Sir, three-fourths or two-thirds of the Members say that a particular thing shall be the law with regard to Punjab in respect of a matter which is exclusively within the State List given in the Seventh Schedule, yet, I point out, that can be not merely negatived but that can be sabotaged and the Governor's will shall be the law. I am submitting, Sir, it will be retrograde and what is more important, it will be an unconstitutional provision. Never, even in the worst days of British despotism before India got her independence, was a Governor given this power. You know, Sir, in certain cases—powers in emergencies or lasting for a couple of months—the Governor-General was given powers ot make certain proclamations. Even that had been challenged from court to court, but never in ordinary times was any power given, that if there is a difference between a regional committee and the State Legislature then the State Legislature's will can be negatived by the Governor and the Governor's decision with regard to what shall be the law in respect of certain specific matters shall be binding upon the State Legislature and upon the State itself.

Then, I am also opposed to the rigid demarcation of specific functions or specific allocation of jurisdictions between the two regional committees, which will mean two parallel legislaures. That will lead to conflict. I am quite aware that Hariana Prant, or the Hariana Region, is backward. Everything should be done to stimulate its growth, and its economic prosperity.

Shri Bansal (Jhajjar-Rewari): How? In what manner?

Shri N. C. Chatterjee: Kindly read my amendment.

Shri Bansal: I have read your amendment.

Shri N. C. Chatterjee: You have not read it. If you have read it, you ought to know that there should be a Development Board and that is the best thing to do. As a matter of fact, you cannot have it by this kind of procedure that there shall be demarcation of functions, that certain things shall be allocated to one Hariana Regional Committee and they can work against the will of the legislature itself. My main point is this, that this regional committee procedure will breed some kind of diarchy, will make the Constitution of Punjab and the Constitution of any other State unworkable. It will not be conducive to the smooth working of the Constitution, and I agree with Dr. Jaisoorya when he said—because he had direct knowledge of Andhra-Telangana—this kind of thing will bring more disharmony and will not bring harmony with regard to any controversy. I want to

again emphasise that the verdict of the States Reorganisation Commission should not be set at naught. Nothing has been said excepting this *ipse dixit* to negative or challenge the deliberate findings of the States Reorganisation Commission. That is a clear finding by all the three Commissioners: that there is no real language problem in the State of Punjab. Then they say—

> "The Punjabi and the Hindi languages as spoken in Punjab are akin to each other and are both well understood by all sections of the people of the State."

Then, they go on to say—

> "Nobody has seriously argued before us that the present set-up presents any difficulty so far as the communicational needs of the people are concerned."

[MR. SPEAKER *in the Chair*]

3-31 P.M.

They have also given certain facts and the facts are important. They have pointed out at the top of page 142 (paragraph 521):

> "The line of demarcation between the Punjabi and the Hindi spoken in the State has, therefore, been more theoretical than real. In recent years, moreover, with the large-scale influx of Punjabi-speaking people from Western Punjab into all the districts of the State this line has been further blurred."

Then they deal with the Akali Dal memorandum regarding the demand for a separate Punjabi-speaking State or *suba* and they are saying that they are rejecting it on a definite ground. The ground is this: there are no distinctive cultural zones in the State. That is a fact and that fact has been arrived at after a good deal of deliberation by these three gentlemen. I submit, Sir, basically the demand for a partition or division or the allocation of the State into distinctive regions is not cultural, but is a communal one and the States Reorganisation Commission say that the demand, to a large extent for a Punjabi-speaking State is really communal and cultural and linguistic arguments have been pressed into service merely to camouflage the real motives.

Sir, I am afraid the same thing is applicable to this demand for Regional Committees and I want the hon. House to remember one basic fact. That fact is this that in the Punjab there is really no language problem. In paragraph 527, in one sentence they summarise their conclusion. The Commission says:

> "The problem of language in the Punjab is principally one of scripts and in this battle of scripts sentiment is arrayed against sentiment."

Sir, I said two days back and I am repeating it that there is no question of opposition to any community or any script. Every script is sacred. There is no question, of any bias against anyone. Opposition to this regional formula basis is based on these grounds which are formulated. But life is not logic and I would have withdrawn all opposition if I am honestly convinced that this regional formula has solved or is going to solve the communal or other problems of the Punjab. It is not going to do anything of the kind. I am not going to use strong language as has been used in the resolution which has been passed by the Maha Punjab Samiti yesterday that it is something like a fascist demand. But I am saying with due deliberation that it is undemocratic, it is unconstitutional. I am saying with full responsibility that it is retrograde and I am afraid it will not bring either the communities nearer or will really help to bridge the gulf existing in the Punjab. I wish I could say frankly that it was going to do that. But the greatest difficulty that is being experienced is that millions are opposed to it. Opposed to what? Opposed to this basic principle that you are going to impose one script upon people who

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do not want to accept that script. Do not try to impose any script. If anybody ridicules any script I am against it. Strike him down; do not try to impose that script on people who do not want to have that script.

I am opposed to clause 10 of the scheme which reads:

> "The official language of each region will, at the district level and below, be the respective regional language."

They are opposed to it. Why? In the Punjabi zone you are making Gurmukhi script the official language. Why should that script and that script alone be used at the district level? Why do you not give people the choice between either the Devanagari script or the Gurmukhi script? Both are dear, both are sacred to them. Why do you not give the choice?

Then, as my hon. friend Pandit Bhargava pointed out clause 9 is rather illogical.

> "The Sachar formula will continue to operate in the area comprising in the existing Punjab State, and in the area now comprised in the PEPSU State, the existing arrangement will continue until they are replaced or altered by agreement later."

These two kinds of formulas side by side are not right and are being resented by large sections of people.

Sir, in paragraph 534 of their Report the Commission have given certain facts and I hope the facts are correct. We know they are correct. They point out:

> "With the large-scale dispersal of Punjabi-speaking people from the Punjab (Pakistan) in the eastern Punjab and with the colonisation of the area under the Bhakra project, the division between the two linguistic zones in the Punjab is progressively becoming less and less real.

Therefore with this widespread dispersal of people speaking this language these artificial distinctions have gone. You may accept it as a bilingual State, but if you make it bilingual do not have these artificial differences and this artificial zoning business.

The other day when I made my humble comments, the hon. Home Minister pointed out that I am not quite correct in saying that it will be something like a fusion of two sub-States. Now clause 1 of this scheme says:

> "There will be one legislature for the whole of the reorganised State of the Punjab, which will be the sole law-making body for the entire State, and there will be Governor, aided and advised by a Council of ministers responsible to the State Assembly for the entire field of administration."

Sir, *prima facie* it seems all right. But what I am saying is this. What you are giving in clause 1 you are taking away by clause 2 and the subsequent clauses. Now, clause 2 says:

> "For the more convenient transaction of the business of Government with regard to some specified matters, the State will be divided into two regions, namely, the Punjabi-speaking and the Hindi-speaking region.

Clause 3 says:

> "For each region there will be a regional committee of the State Assembly consisting of the members of the State Assembly belonging to each region including the Ministers of that region but not including the Chief Minister."

Clause 4, which is very important says:

> "Legislation relating to specified matters will be referred to the Regional Committees. In respect of specified matters proposals may also be made by the Regional

Committee to the State Government for legislation or with regard to questions of general policy not involving any financial commitments other than expenditure of a routine and incidental character."

So, really there are two legislatures for the two regions. You are really partitioning the State List and the Concurrent List and allocating specific powers for these regional committees.

What I am pointing out is that they are really partitioning the State List and the Concurrent List and arrogating certain powers to the regional committees. Therefore, we are really setting up two legislatures. As I pointed out, the most dangerous clause, the most difficult clause to accept, is clause 5 which reads thus:

"The advice tendered by the regional committees will normally be accepted by the Government and the State legislature. In case of difference of opinion, reference will be made to the Governor, whose decision will be final and binding".

[MR. DEPUTY-SPEAKER *in the Chair*]

3-41 P.M.

The other day, I pointed out what this means. If a regional committee consisting of, say, 50 members say this "this shall be the law" and then if it goes to the legislature where, say, 100 members may say, "this shall not be the law", then, what the 50 members have said might become the law. What 100 members wanted cannot become the law and it cannot take legislative effect. Their legislative judgment will be negatived. What will happen is that their opinion will be negatived, and there will be a reference to the Governor. As I pointed out, this power to the Governor is not merely vetoing power, not merely a suspensory power, not merely a power to hold up, but it is a substantive power. It is a positive power. It is a power whereby, in his own right, the Governor can really legislate. Therefore, the Governor can outvote the legislature. He cannot only veto the powers of the legislature but he can pass legislation over the head of the legislature. So, what is the good of having this farce of election and saying that the Punjab legislature will have 180 members or so? If what 120 members out of this number say cannot become the law for the State, what is the use? I can understand certain amount of local autonomy or local expression of wishes being ascertained and then the whole thing being placed before the legislature, and ultimately, the judgment of the legislature of the State being accepted as the final thing. But that is not possible here. According to this regional formula, that judgment is not going to be accepted. On the other hand, the formula says that it shall not be accepted even if 120 members out of, say, 160 members, want that "this should be the law". That will not be the law and the Governor's voice shall prevail. The Governor's decision will be the law.

If I am wrong, I shall be very happy to be corrected. But this is how I read the formula. In case of any difference of opinion in respect of legislation relating to specified matters enumerated in clause 6, reference shall be made to the Governor of the State and the Governor's decision shall be final and binding. Therefore, practically, in regard to local self government, the constitutional powers of municipal corporations, improvement trusts, district boards and other local authorities, public health and sanitation, development, economic planning, the Governor is given legislative power. This is just simply like saying that "Notwithstanding anything contained in the Constitution, the President may, by order, make," etc. This is what the regional committees have been given. Really, by a *non obstante* clause, as we call it in forensic language, you are really giving the executive, the power to drive the steam roller and

[Shri N. C. Chatterjee]

level down all the constitutional safeguards. Notwithstanding anything in the Constitution, notwithstanding the fact that the State legislature, under the Constitution, shall have the complete power, under article 246, to enact a law in respect of all matters in the State List, you are giving the powers to the Governor. In Punjab, the legislature has no such power. They shall not have the power. If there is any difference between a regional committee and the State legislature, then the Governor shall make the law with respect to all matters enumerated in items (i) to (xiv) in clause 6 of the formula.

I am submitting that this is unconstitutional and this Parliament should not allow this kind of constitutional mockery to be enacted in the name of a Constitution (Amendment) Bill. Is this a Constitution (Amendment) Bill if you say that notwithstanding anything in the Constitution, the President, by order, or the Governor, by order, may do such and such a thing? The Governor may do—what? —completely over-ride the Constitution, completely sabotage the Constitution, completely undermine the fundamental principles of democratic Government. He can completely set at naught the very basic frame-work of the State legislature, and disrupt the legislative distribution of powers envisaged in the Constitution of India. I am submitting that this will not be right and that this will not be proper.

Mr. Deputy-Speaker: I do not want to stop the hon. Member, but I might point out that there are several hon. Members waiting to speak.

Shri Bansal: He has spoken a number of times on this subject. Others want to speak.

Shri N. C. Chatterjee: I will finish soon. I think I have already made my important submission. About clause 8, I wanted to get some light and I tried to get some light, but I could not get it. This clause says as follows:

> "The demarcation of the Hindi and Punjabi regions in the proposed Punjab State will be done in consultation with the State Government and the other interests concerned".

I do not know what the other interests are. They have not been made clear at all. Therefore, I submit that this is also vague. All that I am pointing out is this. Assuming that the hon. Minister is convinced of this formula, will this treaty of New Delhi lead to the EI Dorado and to the redumption of the Punjab and will it lead to the many problems of Andhra-Telangana being solved? If it does, then have it. You placed it before Parliament in the shape of a Bill. As I pointed out, the Chair ought to know better, because I was not there when the Regional Formula was prepared. But I find that it might not have been the intention at all of the members of the negotiating parties that provision should not be made by a Central statute empowering the President to constitute a regional committees or two regional committees. I maintain that the intention was, as it ought to be, that the Parliament should have the power, the facility, the opportunity and the right to discuss those matters.

It is no use of thinking of the Scottish convention. That set-up is entirely different. England and Scotland were fused together. Before then they were two independent countries and they sat down and said, "We shall have a convention in regard to Scottish matters". So, that is an entirely different thing. My basic objections are that this arrangement will not really end communal disharmony, but it may disrupt even the little unity or cohesion that is there. It will not merely make it difficult for the normal transaction of business but it shall weaken the principle of joint

responsibility of a cabinet Government and it will vest undemocratic and unreasonable powers in the Governor, and these things will make this formula or this so-called Constitution retrograde and unconstitutional.

The Minister pointed out that I was advocating some kind of sub-State in this country. I was not here then. But I may say that I never said anything like that. I never demanded such a thing. I was opposed to it. Any kind of sub-federation or any kind of sub-State is out of the question. This sub-state theory will, as a matter of fact, accentuate centrifugal forces and it will make more difficult the evolution of the right type of regional patriotism which is so essential for the purpose of keeping our unity intact.

Shri Bansal: Mr. Deputy-Speaker, I rise to speak on amendment No. 203 which stands in the names of a large number of my hon. friends and myself.

Pandit Thakur Das Bhargava: Amendment No. 203 is for clause 22A. We are discussing clause 22 now.

Mr. Deputy-Speaker: I am afraid that the time being short, we shall have to include clause 22A also along with clause 22. I am in the hands of the House. I have no objection to taking that clause separately, but there would be no time. So, I think clauses 22 and 22A may be taken together.

Several Hon. Members: Yes.

Mr. Deputy-Speaker: Shri Bansal may proceed.

Shri Bansal: I rise to speak on amendment No. 203 which stands in the names of a large number of my hon. friends headed by Pandit Thakur Das Bhargava. I have heard with great patience what the hon. Member Shri N. C. Chatterjee had to say about the regional formula as applicable to Punjab. As you know, I am one of those who, in the beginning, were opposed to any regional formula. But the logic of events, the matter in which the Reorganisation Commission's report was received in my State and the various events that took place after that, brought me and many of my friends round to the point of view that we will have to evolve some formula which will meet the demands which were being stressed so forcefully not only by the people of Hariana but also by the people of the rest of the Punjab. My hon. friend, Shri Chatterjee, just now said that this formula is undemocratic. I want to know what is undemocratic about an agreement that has been arrived at voluntarily by all sections of the community.

Shri N. C. Chatterjee: Not all.

Shri Bansal: I was surprised that Mr. Chatterjee, of all people, desscribed this formula as a communal formula. I can understand any nationalist member, any member from this side of the House,....

Shri N. C. Chatterjee: I am as much a nationalist as you are.

Shri Bansal: ....declaring it as a communal formula, but the President of the Hindu Mahasabha calling a democratic settlement arrived at after mutual consultation among the various groups of a State a communal formula beats me. I would request my hon. friend to weigh his words before he makes such statements on the floor of the House. He very painstakingly leads us through the labyrinth of constitutional abracadabra. What does clause 22 say in regard to the Governor's position? It says that the President will have the power to frame rules to provide for the constitution of regional committees etc. and invest the Governor with certain powers. It is not as if the Governor will have powers which will have nothing to do with the Constitution. No, sir, it is never said so here. All that is being said here is:

> "....the President may, by order made with respect to the State of Andhra Pradesh or Punjab, provide for the constitution and functions of regional

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committees.....for the modifications to be made in the rules of business of the Government and in the rules of procedure of the Legislative Assembly of the State and for any special responsibility of the Governor in order to secure the proper functioning of the regional committees."

I do not know how the Constitution is being violated and how the Governor will be placed in a position of vetoing the constitution and ruling over the State disregarding the provisions of the Constitution. All that is proposed here is that the Governor will come under certain rules which will be framed by the President. Ultimately it boils down to this that this Parliament and the Governor will be working within the frame-work of those rules.

Mr. Chatterjee has said that this is not a cultural formula and that these two regions have nothing separate as far as culture is concerned. I would submit to him that when this formula was hammered out, we did not have so much of culture or religion in view. All that we had in view was our economic backwardness, particularly the people of Hariyana. I said in this House very forcibly that the only consideration which weighed with the people of Hariana was that they wanted to safeguard their position economically and to see that in any future set-up, justice would be done to them and they would not be kept as backward as they had been all these years. That is the thread which runs through the regional formula; I do not know how all these other implications can be brought in, as has been done by my friend here quoting from some memorandum published by the Punjab Mahasamiti.

Before I turn to the amendments I would just like to invite your attention to the different kind of treatment that the Government themselves are meting out to the people of Punjab and the people of other States, namely, Andhra and the new State of Bombay. From clause 22, I see that while for Punjab everything about the regional formula has been kept vague—all that has been said is that the President will frame rules etc.—as far as Andhra is concerned, you will find in sub-clause (2)...

Shri Pataskar: Sub-clause (2) relates to Bombay.

Shri Bansal: As regards Bombay, separate development boards have definitely been provided here. Sub-clause 2(a) reads:

"the establishment of three separate development boards for Vidarbha, Marathwada and the rest of the State..."

Shri Pataskar: I have moved an amendment to that.

Shri Bansal: Later on my hon. friend has tabled an amendment which states that there will be separate development boards for the Vidarbha, Marathwada, the rest of Maharashtra, Saurashtra, Kutch and the rest of Gujarat. I do not know why the State of Punjab has been differently treated from the State of Bombay even with regard to development boards. Our amendment, I may say, goes a bit further than what has been provided for the State of Bombay. Through our amendment, we are seeking to provide in the Constitution two or three things which, in my view are the objectives of the regional formula. The first thing that we want to provide very clearly in the Constitution is that we want the Punjab Government to take the full responsibility to develop the Hindi-speaking region namely, Hariyana and develop it in matters in which it is backward.

Pandit Thakur Das Bhargava: Kangra also.

Shri Bansal: Yes, Hariana and Kangra should develop in all matters in which they have been kept backward. This is provided by the first part of our amendment. The second part provides that there will be separate development boards and also the

manner in which they will be constituted. The third part of our amendment says that the Governor of the State of Punjab will report to the President the working of these development boards.

Our amendment seeking to insert a new article 371B, particularly part (2), says: that apart from special allocation of funds for purposes of special development, equitable allocation of funds for development expenditure for these two regions shall be also made. I am most concerned about this particular aspect of this amendment. As I had occasion to say in the past, our Hariana region has been kept backward. There are historical reason and there may be other reasons into which I need not go now. But, the fact remains that out of the various allocations that are given by the Central Government either in the form of loans or grants, the bulk of them is always taken away by the Punjabi-speaking Punjab.

4 P.M.

Recently I had occasion to go into this, particularly in relation to such grants as are given for the development of industries. Last year, out of the allocation of about Rs. 37 lakhs which was given for the development of small-scale industries, I doubt very much whether even as much as two per cent would have been spent in my part of the State. When I enquired of the officers concerned as to how this happened, I was told that there are no applicants in the Hariana region who come forward for grants or loans from that fund. I tried to investigate into that and only day before yesterday I received a letter from one of the applicants who has applied for a paltry sum of Rs. 3,000/- as loan for a particular industry. He showed me a letter addressed to him by the District Development Officer which stated that under instructions from the Director of Industries, Punjab, no further applications are to be entertained for the time being. When the complaint is made that proper allocation is not made, we are told that there are no applications. When there are applicants we are told that no application will be entertained. I took up this matter with the Director of Industries; not only this individual matter but the general question of development of industries in the Hariana Pranth and particular towns in my constituency. To my surprise, although I had taken up this matter some three months back, no satisfactory reply has come so far and only yesterday you must have seen from a reply given by the hon. Minister for Consumer Industries that the one industrial estate that will be established in Punjab will be in Ludhiana and the reason why it will be established in Ludhiana is that it will improve industries in that part while the purpose of establishing industrial estates is not to improve the industries but to help in the establishment of new industries. How these things happen, I am not in a position to say. But the obvious conclusion to which we have a right to arrive is that the present set-up in our State, dominated as it is by the Punjabi-speaking element, sees to it that Hariana does not get its due.

On the last occasion I had pointed out that in my district headquarters, namely, Gurgaon and Rohtak, all the officials or most of the officials happen to be from a particular part of State. The Home Minister, who was listening to my speech, thought that I was exaggerating. The very next day he happened to go to Gurgaon and there the Deputy Commissioner of that place somehow, to his great discomfiture, as it turned out later on, referred to my speech, thinking that the hon. Minister will say something critical about what I have said. But instead of that, the hon. Deputy Minister pointed out to him, "while in Delhi I thought Mr. Bansal was exaggerating; after coming here I find that he is cent per cent. correct. I find in your establishment from you downwards to your chaprasi, everybody answers the description which was given by Mr. Bansal in the

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House". Even after that nothing has happened to remedy our grievances.

Then, my hon. friend, Mr. Chatterjee, said that the same type of development boards as are provided for Bombay should do for Punjab. I don't think he has read the amendments which have been tabled by us carefully because there it has been pointed that not only for the development of industries but for other purposes also like, for instance, the safeguarding of our interests in the various Legislatures, these regional committees are absolutely essential. My hon. friend, Mr. Bhargava, will tell you how we have suffered on the question of representation in the Legislatures. How many representatives from Punjab have we in the Council of States?'

Pandit Thakur Das Bhargava: None. Out of the eight, nobody comes from our part of the country.

Shri Bansal: You are in a better position to enlighten the House on that question. How many of the representatives of Hariana are there in the Legislative Council of Punjab? The provision of a development board will not meet such a situation and it is for these reasons that we demand the formation of regional councils and we press upon the House not to be guided by the theoretical considerations so eloquently expressed by my hon. friend, Mr. Chatterjee, but to consider this demand in the spirit in which it has been made by the people of Hariana. And not only that. This demand has been voluntarily agreed upon by the various sections of the inhabitants of the entire State of Punjab, as will be clear to you from the long and distinguished list of the movers of this amendment.

श्री अमरनाथ विद्यालंकार (जालंधर) : उपाध्यक्ष महोदय, पिछले दो साल से इस राज्य पुनर्गठन के सम्बन्ध में जो हमारे देश में समुद्र मंथन होता रहा है और जिस में हम किसी ऐसे सर्वोत्तम हल की तलाश करते रहे हैं ताकि इस मसले को हमेशा के लिये हल कर सकें और इस तरह से हल कर सकें जो कि ज्यादा से ज्यादा लोगों को स्वीकार्य हो। मेरा अपना ख्याल यह है कि इस बिल के दो क्लाजेज २१ और २२ इस सवाल के निचोड़ हैं और हमें वह कुंजी देते हैं जिस की मदद से हम अपने देश में इन तमाम सम्बन्धित सवालों को सफलतापूर्वक हल कर सकते हैं।

श्री एन० सी० चैटर्जी ने अभी बहुत नुक्ताचीनी की और उन्हों ने कहा कि रीजनल फारमूला एक बहुत ही निकम्मी चीज है और उस के उन्होंने बहुत से दोष बताये। मैं शायद उन की इस नुक्ताचीनी को ज्यादा गम्भीर समझता अगर मुझे यह मालूम होता कि दरअसल श्री चैटर्जी को पंजाब के बारे में कुछ मालूम नहीं है और पंजाब के रीजनल फारमूला के बारे में जो उन्होंने नुक्ताचीनी की है वह सिर्फ उस नुक्ताचीनी पर कायम है जो कि वहां पर हिन्दू महासभा या जन संघ के उन के भाई लोग वहां पर करते हैं और जो उन्हों ने फैक्ट्स दिये हैं उन के आधार पर उन्होंने यह नुक्ताचीनी की है और उन्हों ने कहा है कि यह रीजनल फारमूला डिफरेंसेज को और ज्यादा बढ़ा देगा। मैं आशा करता था कि वे कोई और आलटरनेटिव फारमला बतायेंगे और कोई दूसरा हल इस पंजाब के मसले का सुझायेंगे कि जिस के जरिये इस मामले को संतोषपूर्वक हल किया जा सके। लेकिन उन्होंने हमको निराश किया।

श्री चैटर्जी ने डेमोक्रेसी की बहुत दुहाई दी और दलीलें दीं और कहा कि यह चीज लोकतन्त्र के खिलाफ है। मैं नहीं जानता कि श्री चटर्जी की लोकतन्त्र के बारे में धारणा क्या है। डेमोक्रेसी के बारे में उन के नोशंस क्या हैं। कई मर्तबा हम लोग डेमोक्रेसी के बारे में गलत नोशंस बना देते हैं और डेमोक्रेसी के नाम पर इतनी आउटरेजियस बातें हुई हैं कि जो किसी डेमोक्रेसी में सहन नहीं की जा सकतीं। यह मैजारिटी और माइनारिटी जनता में भाषा के आधार पर और कौमों के

आधार पर जो मैजारिटी और माइनारिटी का सवाल है उसे सिम्पल मैजारिटी से आप हल नहीं कर सकते और सिम्पल मैजारिटी से आप उन बातों को तय नहीं कर सकते जिन को कि आप मामूली तौर पर जैसे कि विचारों के मतभेद को हल कर सकते हैं। इस का कारण यह है कि जहां तक विचारों का मतभेद है, डेमोक्रेसी में विचार बदलते रहते हैं और पार्टीज बदलती रहती हैं लेकिन लिंग्विस्टिक माइनारिटीज और मैजारिटीज में या जो धार्मिक आधार पर मैजारिटीज या माइनारिटीज हैं अथवा किसी जाति के आधार पर माइनारिटीज या मैजारिटीज हैं, उन का हल सिम्पल मैजारिटीज से आप नहीं कर सकते हैं और उन के हल के लिये आप को सेफगार्ड्स रखने पड़ते हैं। विधेयक के सेक्शन २१ में जो यहां की भाषाओं के लिये सेफगार्ड्स सुझाये गये हैं, जो रीजनल फार्मूला है, उस के अन्दर हम ने जो सेफगार्ड्स रखे हैं, उस की वजह यह है कि जहां पर दो भाषाओं का सवाल है उन की उन्नति एकसी हो। मान लीजिये पंजाबी बोलने वालों का सवाल है, हम चाहते हैं कि उन को भी वही सहूलियतें पहुंचाई जावें जो कि हिन्दी बोलने वालों को पहुंचाई जाती हैं। श्री चटर्जी ने पंजाब का जिक्र किया। उन को मालूम नहीं था कि वहां पर क्या सवाल है, वहां पर सवाल पंजाबी लिपि का है, लिपि के सम्बन्ध में उन्हों ने कहा, और इस बिल पर अपने नोट आफ डिसेंट में भी लिखा है, कि पंजाबी चाहे देवनागरी लिपि में लिख दी जावे चाहे गुरुमुखी में या उर्दू में इसमें क्या फर्क पड़ता है। खाली गुरुमुखी की मांग क्यों की जाती है? मैं उन से एक सवाल पूछना चाहता हूं। क्या वह इस को तसलीम कर लेंगे कि बंगाली को देवनागरी के अक्षरों में लिखा जाय? मैं जानता हूं कि श्री शारदा चरण मित्र ने एक बार इस प्रस्ताव को रक्खा था कि बंगाली को देवनागरी में लिखा जाये, लेकिन बंगाल में उस को स्वीकार नहीं किया था मैं जानता हूं कि श्री चैटर्जी भी उस को नहीं मानेंगे।

आज बंगाली देवनागरी या रोमन लिपि में नहीं लिखी जा सकती, तेलगू रोमन या हिन्दी की लिपि में नहीं लिखी जा सकती, कोई भी भाषा रोमन में नहीं लिखी जा सकती जब यह स्थिति है तो आप पंजाबी की जो लिपि है उस को डाइवोर्स कैसे कर सकते हैं? अगर आप को पंजाब के सब लोगों को पंजाबी पढ़ानी है तो आप को उस की लिपि को रखना ही पड़ेगा।

अब रहा सवाल कम्पल्शन का। जब आप स्कूलों के कैरिकुलम मुकर्रर करते हैं तो उस में आप कई चीज कम्पलसरी कर देते हैं। आप अल्जबरा पढ़ाते हैं, अरियमैटिक पढ़ाते हैं। दूसरी चीजें पढ़ाते हैं। अभी मैं ने अर्ज किया कि हम अंग्रेजी को कम्पल्सरी तौर पर पढ़ायेंगे। अगर यह सब चीजें कम्पल्सरी पढ़ाई जाती हैं और आप को कोई आपत्ति नहीं होती, आप पढ़ते हैं, सारा कैरिकुलम पूरा किया जाता है, तो आप को पंजाबी कम्पल्सरिली पढ़ने में या हिन्दी कम्पल्सरिली पढ़ने में क्या आपत्ति हो सकती है। हम इसलिये उन को पढ़ेंगे कि जब हम पड़ौस में ही रहते हैं तो एक दूसरे की भाषा को जानें, एक दूसरे के कल्चर को जानें, और एक दूसरे के साथ हमारे रिश्ते कायम हों, और ज्यादा गहरे हों और हम लोग एक संगठित राष्ट्र बन सकें। अगर इस के लिये हम भाषाओं को कम्पल्सरी करते हैं तो क्या नुक्स है?

श्री चैटर्जी ने कहा कि यहां पर रीजनल फार्मूला जो है उस के कारण ज्वाइंट रिस्पांसिबिलिटी का खतरा पैदा होगा। मैं ने समझा कि वह बड़े काबिल वकील हैं आखिर वह क्या चीज है जिसे मिटाया जा रहा है। उन से यह सुन कर कि ज्वायंट रिस्पांसिबिलिटी को खतरा हो गया, मैं सोचने लगा कि जरूर, इस में कोई न कोई असलियत होगी। लेकिन मैं कह सकता हूं कि उन्होंने शायद इस फार्मूले को अच्छी तरह से पढ़ा नहीं। वहां पर जो रीजनल कौंसिलें हैं वह तो सिर्फ अपनी एडवाइस टेंडर करती हैं। किस को टेंडर करती हैं? जो लेजिस्लेटिव असेम्बली है,

[श्री अमरनाथ विद्यालंकार]

उस को टेंडर करती है। चीफ मिनिस्टर अलग रहता है। उस चीज का फैसला कौन करता है? लेजिस्लेटिव असेम्बली करती है, जो बड़ी असेम्बली होती है वह करती है। इस में रिस्पांसिबिलिटी डिवाइड कहां होती है। हां, अगर कभी रीजनल कौंसिल की बात को न मान कर लेजिस्लेटिव असेम्बली अपनी बात पर अड़ जाती है और एक डेडलाक पैदा हो जाता है, तो जैसा मैंने कहा कि कुछ सेफगार्डस् हैं उन चीजों के लिये कि माइनारिटी पर कहीं लिंग्विस्टिक मैजारिटी का स्टीम रोलर न चल जाये माइनारिटी को कहीं कुचल न दिया जाये, इस के लिये आप ने एक्स्ट्राआर्डिनरी प्रावीजन कर दिया है कि गवर्नर फैसला करे। गवर्नर की हस्ती क्या है? क्या वह कोई बाहर की चीज है जो कि दूसरों के द्वारा हम पर इम्पोज किया गया हो, क्या वह कोई डिक्टेटर या डेस्पाट है? गवर्नर की पोजीशन हमारे कांस्टीट्यूशन के अन्दर है वह प्रैजीडेंट के नीचे है और चीफ मिनिस्टर की ऐडवाइस पर काम करता है। चीफ मिनिस्टर ऐडवाइस करता है और गवर्नर उस के ऊपर एक्ट करता है। प्रेजीडेंट जो है वह केन्द्रीय मंत्रिमंडल की एडवाइस पर काम करता है और मंत्रि मंडल पार्लियामेंट के नीचे है। तो गवर्नर कोई एसी सुप्रीम ताकत नहीं बनाई गई है। जब कांस्टीट्यूशन गवर्नर को कोई सुप्रीम पावर नहीं देता, तो यह कहना कि गवर्नर तो डिक्टेटर बन गया और उस के खिलाफ डेमाक्रेसी या दूसरी बड़ी बड़ी चीजों के नाम पर अपील करना, मैं समझता हूं कि एक गलत सी चीज है। मैं नहीं समझता कि श्री चटर्जी जो कि एक बड़े वकील हैं क्यों इस मामूली सी बात को नहीं समझ सके।

श्री चैटर्जी ने यह भी कहा कि रीजनल कौंसिलों को अधिकार दे कर हम ने ऐडमिनिस्ट्रेशन के डिमाक्रेटिक राइट्स को बांट दिया। हम तो पंचायतों को ज्यादा अधिकार देना चाहते हैं। डेमाक्रेसी के बारे में जो हमारी धारणा है उस के अनुसार हम सेन्ट्रलाइजेशन आफ पावर नहीं चाहते हैं, हम डिसेन्ट्राइलाइजेशन चाहते हैं, हम नहीं चाहते कि तमाम ताकत एक जगह जा कर इकट्ठी हो जाय। जो काम रीजनल काउंसिल को दिये गये हैं वह डेवलेपमेंट के काम हैं, जैसे कम्युनिटी प्राजैक्ट्स हैं, एजुकेशन है, हैल्थ है, अन्य जो भी वैल्फेयर की छोटी छोटी बातें हैं उन के लिये हम मुकामी संस्थाओं को छोटे छोटे टुकड़ों को ज्यादा से ज्यादा ताकत देना चाहते हैं। और इन चीजों का इन्तजाम उन को ही करना चाहिये। उन चीजों के बारे में हम कस्बों कस्बों, गांवों गांवों को ज्यादा ताकत देना चाहते हैं। उन्हीं लोगों पर सारी जिम्मेदारी डालना चाहते हैं, यही हमारे कांस्टीट्यूशन की भी स्पिरिट है, और यही हमारे ऐडमिनिस्ट्रेशन की स्पिरिट होनी चाहिये। हम इन तमाम कामों को सेन्ट्रलाइज नहीं करना चाहते। जितने डेवलेपमेंट के काम हैं उन की ज्यादा से ज्यादा जिम्मेदारी आप को बांटनी चाहिये हम तो कहते हैं कि रीजनल काउंसिल क्या अगर हम एक एक गांव को इस की जिम्मेदारी दें, तो भी इस में कोई भी अपने उसूलों की खिलाफवर्जी नहीं करते हैं। इस में स्टेट लेजिस्लेचर की जिम्मेदारी रहती है तो चीफ मिनिस्टर की जिम्मेदारी रहती है और चीफ मिनिस्टर की जिम्मेदारी रहती है तो मंत्रिमंडल की जिम्मेदारी रहती है जोकि वहां पर सारे कामों को करता है। इसलिये यहां पर जो बातें कही गई हैं वह एक चीज को गलत तरीके से इंटरप्रेट कर के, एक चीज को गलत शक्ल दे कर, महज नुक्ता चीनी करने के ख्याल से कही गई हैं।

मैं समझता हूं कि इस देश में, पंजाब के अन्दर हों या किसी दूसरे प्रदेश में भाषा के सवाल के ऊपर काफी झगड़े हुए हैं और उन को आगे बढ़ाना उचित नहीं है। श्री चैटर्जी की पार्टी के पंजाब के लोग यह नहीं समझ सके कि मैजारिटी की जिम्मेदारियां क्या होती हैं, मुझे अफसोस हुआ कि श्री बंसल ने भी कुछ इशारा किया कि वहां पर एक कम्यूनिटी के

आदमी रक्खे गये हैं। मैं उन का इशारा समझ गया। मैं पूछता हूं कि अगर कहीं पर माइनारिटी के लोग रहते हैं तो वह कहां जायेंगे। आखिर रहेंगे तो मैजारिटी के नीचे ही। माइनारिटी वालों को आप को जगह देनी ही पड़ेगी नहीं तो दूसरी जगह पर उन को ले जा कर बसाना भी पड़ेगा। आखिर मैजारिटी के लोग घबरा क्यों जाते हैं माइनारिटी के नाम पर, यह मैं नहीं समझ पाता। अगर हम इस तरह से चौंकते रहेंगे तो हमारा काम कैसे चलेगा? पंजाबी को ले कर श्री चैटर्जी की पार्टी वाले प्रचार करते हैं कि हिन्दी खतरे में पड़ गई, हिन्दी को तबाह कर दिया गया।

[MR. SPEAKER *in the Chair.*]

सारे देश में तो आज यह चर्चा चल रही है कि हिन्दी इम्पीरियालिजम कायम किया जा रहा है, हिन्दी का एग्रेशन हो रहा है। लेकिन यहां पर कहा जा रहा है कि पंजाबी को ऊंचा दर्जा दे दिया गया, हिन्दी को कुचल दिया गया। मैं समझता हूं कि अगर हिन्दी की रक्षा करनी है, तो हमें यहां पर अपने देश में अपने देश की प्रादेशिक भाषाओं को ज्यादा से ज्यादा ऊंचा दर्जा देना होगा। हिन्दी तरक्की तभी करेगी जब हम प्रादेशिक भाषाओं को ज्यादा से ज्यादा मौका देंगे। प्रादेशिक भाषाओं के अपने-अपने एक्सप्रेशन हैं, उन के अंदर जो शब्द भंडार हैं उन से हिन्दी की भी उन्नति होगी। हिन्दी के विषय में मैं जानता हूं कि उसने बंगाल से बहुत कुछ लिया है, गुजराती से हिन्दी की बहुत तरक्की हुई है उस से हिन्दी ने बहुत कुछ लिया है। इसी तरह से पंजाबी के प्रयोग से भी हिन्दी बहुत कुछ उन्नति करेगी, उस से बहुत कुछ लेगी। एक देहाती पंजाबी का जो सुन्दर एक्सप्रेशन है, जो उस की सुन्दर कविता है, जो बात कहने का जोरदार ढंग है, वह हिन्दी के अन्दर तभी आयेगा जब पंजाब के लोग हिन्दी भी पढ़ें और पंजाबी भी पढ़ें और एक दूसरे के एक्सप्रेशन जानें। मैं पूछना चाहता हूं कि आखिर हम अपनी देशी भाषाओं से क्यों घबराते हैं। हिन्दी को अगर खतरा है तो एक ही भाषा से है, और वह है अंग्रेजी। अगर हम अपनी भाषाओं को उठाना चाहते हैं, हिन्दी वाले अगर चाहते हैं कि हमारी भाषा तरक्की करे और हम हिन्दी को अंग्रेजी के मुकाबले ला सकें, तो उस का एक ही तरीका है कि जो प्रान्तीय भाषायें हैं उन का सहयोग लें। पंजाबी भाषा की तरक्की करें, उस को ऊंचा उठायें, जब वह ऊंचे उठेगी तभी हिन्दी उठेगी क्योंकि हिन्दी को उस से सहायता मिलेगी लेकिन अगर हम प्रान्तीय भाषाओं को दबाते रहे, रीजनल भाषाओं को दबाते रहे, जैसे कि पंजाबी को हिन्दू महा सभा वाले दबाना चाहते हैं, जन संघ वाले दबाना चाहते है, अगर हिन्दी वाले इसी तरह प्रादेशिक भाषाओं को दबाते रहे तो न हिन्दी पनप सकेगी और न दूसरी भाषायें पनप सकेंगी और अंग्रेजी का राज्य हमारे यहां चलता रहेगा मैं आप से चीन की बात बतलाना चाहता हूं, कोई दो साल पहले मैं वहां गया था। उन्होंने तय किया कि हम चीन की देशी भाषाओं का प्रयोग करेंगे, अंग्रेजी या दूसरी किसी विदेशी भाषा का प्रयोग नहीं करेंगे। और पांच साल के अन्दर उन्होंने तमाम दूसरी भाषाओं को जवाब दे दिया। लेकिन एक चीज वहां पर थी कि जो मैजारिटी वाले थे, जो कि चीनी भाषा बोलते थे, उन्होंने अपनी भाषा को दूसरों पर इम्पोज करने की कोशिश नहीं की। उन्हों ने भाषा को ठोंसने की कोशिश नहीं की। इसी तरह से मैं चाहता हूं कि लोग प्रान्तीय भाषायें बोलें। मैं समझता हूं कि हिन्दी और पंजाबी के सवाल ने हमारे पंजाब में जो शक्ल अख्तियार की है, वह शक्ल उस को गलत तरीके से दे दी गई हैं। जो हल सुझाया गया है उस से मैं समझता हूं कि हमारा पंजाब तरक्की कर सकता है। मैं कहना चाहता हूं कि आप की हिन्दी तभी तरक्की करेगी जब आप प्रादेशिक भाषाओं को प्रोत्साहन देंगे। जब तक आप उन से शब्द लेकर हिन्दी का भडार नहीं भरेंगे हिन्दी की तरक्की ज्यादा नहीं होगी। जितना भी आप प्रान्तीय भाषाओं के साथ

[श्री अमर नाथ विद्यालंकर]

एग्रेसिव एटीट्यूड लेंगे और कहेंगे कि हम प्रान्तीय भाषा नहीं पढ़ेंगे और हिन्दी को दूसरों पर ठोंसने की कोशिश करेंगे और कहेंगे कि हम सभी को यह पढ़नी पड़ेगी और खुद प्रान्तीय भाषा नहीं पढ़ेंगे उतनी ही हिन्दी नीचे की ओर जाती जायेगी और इस का बहुत ज्यादा विरोध होगा । अगर आप यह कहेंगे कि या तो हिन्दी ही चलेगी और या पंजाबी तो मैं समझता हूं कि यह कदम हम को डेसट्रकशन की ओर ले जायेगा । मैं अपने माननीय सदस्य श्री चैटर्जी साहब से तथा उन के अनुयायियों से अपील करना चाहता हूं कि भारत की एकता को उन्हें एक बुनियादी चीज मानना चाहिये और इसी के मुताबिक अमल भी करना चाहिये । जैसे कि मैं ने पहले कहा है कि गुत्थियों को सुलझाने की जो कुंजी हमें दी गई है, उस से सब मसले हल हो सकते हैं और मैं उन से अपील करूंगा कि वह इस को स्वीकार करें और प्रगति की राह पर चलने में योग दें ।

Mr. Speaker: Dr. Jaisoorya. Ten minutes.

Shri U. M. Trivedi (Chittor): Those who preceded us got half an hour.

Mr. Speaker: On Andhra?

Shri U. M. Trivedi: Not on Andhra. On clause 22 relating to article 371.

Mr. Speaker: Hon. Member also wants to speak on the same clause?

Sardar Hukam Singh (Kapurthala-Bhatinda): Shri Chatterjee got more time and he wants he should be given the same time.

Mr. Speaker: I cannot understand.

Shri U. M. Trivedi: I know your difficulty. Those who begin take more time.

Pandit Thakur Das Bhargava: We have given notice of amendments so far as Punjab is concerned and so far as this formula is concerned. We should be allowed to discuss it. I do not understand how Shri Chatterjee and Shri Trivedi claim more time than those who are really affected. I do not want that they may not be given time, but we should get more time. We are directly affected.

Shri U. M. Trivedi: I do not grudge Pandit Thakur Das Bhargava getting as much time as he needs, but I do not want him to say that I have no right to speak . . .

Pandit Thakur Das Bhargava: I have not said so.

Shri U. M. Trivedi: .... about Punjab, about India. I think I am a citizen of this country and I represent India and I have got every right to speak about the Punjab or any other part of India.

Shri Hem Raj (Kangra): We should be given more time as we have given notice of amendments.

Dr. Jaisoorya (Medak): You have heard the case for Punjab. I am very much in sympathy with amendment 203 in the name of Pandit Thakur Das Bhargava and a large number of other hon. Members. I think this is a very fine amendment. If the draft of regional committees for Andhra and Punjab were based on this, many of the constitutional difficulties would disappear.

Actually, what is the proposal here? It is proposed to amend article 371 like this:

> "Notwithstanding anything in this Constitution, the President may, by order made with respect to the State of Andhra Pradesh or Punjab, provide for the constitution and functions of regional committees of (not and) the Legislative Assembly of the State, for the modifications to be made in the rules of business of the Government and in the rules of procedure of the Legislative Assembly of the State and for any special responsibility of the Governor in order to secure the proper functioning of the regional committees."

There is not a word here intended to infringe upon the inherent autonomy and sovereignty of the legislature. According to this, all that the President can do is to tell you how the regional committee shall be constituted, how in the legislature the rules of business shall proceed and what the Governor shall do.

After much humming and hawing we were most kindly given a draft of what the Government considers the regional committee should be with regard to Telengana. It is based very much, not in everything, on the Punjab formula. Now, if you look at it exactly, the whole trouble arose like this that the States Reorganisation mentioned: "There is such a thing as the Scottish formula, but we are not willing, we do not think it advisable to recommend it." It is exactly because the Commission said it was not worthy of recommendation, the Government fell back upon that because they were caught in a very tight corner. The tight corner came like this, that all the recommendations of the Commission fell through. They recommended balanced Bombay that fell through. In order to have balanced Bombay they said, you must separate Vidarbha. They also, because of that, said Telengana should be separate. There was no reason whatsoever to have a separate Telengana. The Telengana people never dreamt of it until the States Reorganisation Commission suggested it. That is the funiest part. Having got into that quandary, they fell back upon the so-called Scottish formula.

Actually, if you see the original draft of the Government with regard to Telengana, you will find it did not have clause 4 as you have in the Punjab formula. This was an improvement, a decided improvement, this clause 4 that was brought in here as compared with the first draft. But where the snage comes in is here. It says:

> "The advice tendered by the regional committee will normally be accepted by the Government and the State Legislature."

If it is accepted by the Government, it is nothing wrong according to the Constitution, but you cannot force the State Legislature to accept something which it does not debate or which it does not approve. The term "normally be accepted" is a very British term because the convention is very different there. What is normally accepted and abnormally accepted? I request the Government to delete the words "State Legislature". This can be overcome by the splendid formula that has been given here in amendment 203 by Shri Bansal and others. Shri Bansal has already spoken on it.

In Maharashtra we suggested a development board. Most correct thing. Similarly, now if you want to give a regional committee to Telengana, then the Karnataka people will say: "We have joined Mysore. We must also have a regional committee." Then Marathwada will say: "We have joined Maharashtra. We must have a regional committee." If you look at it logically, it is illogical to have a regional committee only for Telengana and not for Karnataka or some other place. It is absurd. But as I told you, if we are now in a tight corner—we know the inside history now the Government was browbeaten into it.....

Shri Mohiuddin: May I remind the hon. Member that Marathwada and other people have not wanted. They have refused to accept it.

Dr. Jaisoorya: I said they are entitled to it by the same logic. That is the point.

Shri U. M. Trivedi: If you do not want to divide the people, there are people wishing to divide them.

Dr. Jaisoorya: All I am saying is this. You cannot trample upon or tamper with the constitutional rights of the Assembly. This is a point on which I want you to convince me. This is a point which I say will go on creating difficulties of the smaller group badgering and blackmailing the major

[Dr. Jaisoorya]

group. But if you have this amendment which I have only read today—and I must confess I am extremely impresed with the logic and with the clear and precise definition that has been given here—instead of what has been given to us or laid on the Table with regard to the regional committee for Telengana, I think it will be very much better. I think that will solve most of our problems, because we have the right to demand that Telengana should be protected and developed properly.

With regard to the list of items which the regional committees will deal with, I would like to point out that in the list, co-operatives been included as one of the items. But I would suggest that co-operatives should be an all-State responsibility. They should not be a regional responsibility, because we want a uniformity in the development of, and also in the policy of developing, co-operatives. I have a very large experience of co-operative work, and I would sincerely suggest to you that the co-operatives must be a State-wise, organised and 'uniformised' movement. Hence, I would suggest the deletion of the term 'co-operative societies' from this list; you may give all the other things to the regional committees.

As far as I can see, so far as the future of Inda is concerned, I am attaching great importance to the development of co-operatives. That cannot be sectional or regional, but State-wise; that cannot be small, but big. In the next three or four years, I hope to see the co-operative movement becoming a central movement, Centrally controlled, because, as you will see, now that the co-operatives are being developed, the whole financial structure is going to be the responsibility of the Reserve Bank. Therefore, I hope to see the co-operatives becoming a very powerful, large, Centralised, single and unified movement. I suggest that you think over it, namely whether you should not take co-operatives as a completely Central subject.

That is all that I have got to say. You have got to assure me that the sovereignty, that is to say, the constitutional sovereignty of the Assemblies and the legislatures is not vitiated or tampered with. The other things do not interest me.

Mr. Speaker: Now, Ch. Ranbir Singh.

Pandit Thakur Das Bhargava rose —

Mr. Speaker: I shall call Pandit Thakur Das Bhargava also.

I am first calling those who have tabled amendments.

Pandit Thakur Das Bhargava: I have got several amendments.

Mr. Speaker: I shall call the hon. Member. But before that, Shri Pataskar wants to speak.

Shri Pataskar: I do not propose to take very long, because ultimately, the reply to the debate will come from my colleague the Home Minister.

I just want to explain amendment No. 211 which stands in my name. In clause 22, provision has been made by the Joint Committee for the establishment of separate development boards for Vidarbha, Marathwada and other areas. I would like to make it clear at the very outset that this has been done, not because there are any fissiparous tendencies or any interference from outside the State, but because of the intention to remove any apprehensions which, on account of historical causes, may have found some place in the minds of some people.

For instance, Marathwada formed part of the original State of Hyderabad. Naturally, the people in that region had their own problems and difficulties in that State. So was the case of Vidarbha which also formed part of another State. Whether it was here or there does not matter, but the people there also had certain difficulties.

When, after such a long time, they were going to be joined to a bigger State,—which, as it was then contemplated, was the State of Maharashtra—naturally, they had their own apprehensions that probably in the matter of development—which is now the most important consideration before every section of our Indian people; in fact, we are going to discuss shortly the Second Five Year Plan which is intended for one and all—they may not get an equitable share. So, there was an anxiety on the part of the residents of various areas, not merely on linguistic grounds, but on other grounds also, that they should have an equitable and proper share of the development funds, and that they should have opportunities to develop their own areas. This has nothing to do with any fissiparous tendency.

Looking at it from this point of view, and also looking to the history of this question, the Joint Committee had decided that some special provision should be made for the establishment of separate development boards for the areas of Marathwada and Vidarbha. But subsequently, we have passed the States Reorganisation Bill, where we have decided that there shall be a bigger State of Bombay. People call it a bilingual State, but I do not call it so. In fact, I deliberately avoid referring to it as a bilingual State, because, after all, it is a national State, and it is to be administered as such, and it belongs to all; it belongs not only to people speaking one language only, but to people speaking all languages.

Shri Kamath: So is every State.

Shri Pataskar: Not only this, but I say further that any advanced State is bounded to be a State having so languages.

Shri Kamath: So is Madhya Pradesh.

Shri Pataskar: If a State is backward, then it may have only a few languages. I do not want, however, to enter into an argument with those who do not want it. But what I would like to point out is this.

In view of the fact that we have got now such a State as the big State of Bombay, and also considering the fact that there is some history behind every region which is going to be included in the present State of Bombay, we thought that a provision of this nature should be made. For instance, as we all know, Saurashtra once consisted of so many Indian States, and it had its own problems. It had its own revenue laws, and its own difficulties. For the first time, it is now coming into the State of Bombay. Its development problems are bound to be different from those of other areas. Similar is the case of Kutch, which is now a Centrally administered area.

It was, therefore, found necessary, in order that there may be no unnecessary apprehensions in the minds of people, to have a provision of this nature. I can say without any fear of contradiction, that, generally, at the present moment, people all over are more concerned with the development programmes of the regions in which they live than with anything else. It is to set at rest any apprehensions that may be there, that we made this provision—there may be justification, or there may be no justification for the apprehensions; I do not mean to say that we are going into the Bombay State with any fissiparous tendencies; that is not the object, it is wrong to interpret it that way; but if at all, there are any apprehensions in the minds of any people, they should be set at rest. So, it has been provided here that consistent with the welfare of the State as a whole, the needs of these areas will have to be taken into account.

So, it has been provided here in this amendment:

> "the establishment of separate development boards for Vidarbha, Marathwada, the rest of Maharashtra, Saurashtra, Kutch and the rest of Gujarat".

All these areas have been mentioned here because of historical reasons;

[Shri Pataskar]

their land tenures, their land problems, their development problems, etc. are all bound to be different. Even assuming there had been no provision of this nature, yet, the new State of Bombay, I am sure, would have constituted,—as they would have had to—separate development boards for these different areas.

But, in order to remove any scope for any apprehensions being entertained by any section of people in this big State of Bombay, it has been provided that there will be these separate development boards.

We have proceeded further than this, when we have said that a report on the working of these boards will be placed each year before the State Legislative Assembly. We do not want anybody to come and complain subsequently that they were neglected, and no attention was paid to their region. So, we have said that the reports will come up for discussion before the whole of the Legislative Assembly of that State. Then in sub-clause (b), we have provided:

> "equitable allocation of funds for developmental expenditure over these three divisions, subject to the requirements of the State as a whole."

Primarily, the interests of the State as a whole will have to be kept in view while we are trying to develop these areas. This provision was necessary from another point of view also.

It is rather unfortunate that ever since the *Report of the States Reorganisation Commission* was out, and in fact, even earlier, there had been certain things on account of which people had begun to think as to what might happen to them if they happened to be a majority or minority in one State or the other. Now that this Parliament has come to the decision, and I, for my part, whole-heartedly say, the correct decision, that there should be a big State of Bombay—because Bombay is the centre to which we people from Gujarat or Maharashtra look as the main city and town from which everything must flow for the development of these regions—naturally, it has been thought necessary to remove any apprehensions in the minds of people, should such apprehensions happen to exist subsequent to this. On account of the unfortunate previous history, there have been some misgivings either on the ground of majority or minority, or on one ground or the other. So, we want to declare emphatically from here that it is for the purpose of removing any such apprehensions in the minds of people in any area, whether it be Gujarat, or Vidarbha or Marathwada, that a provision of this nature has been made here. I hope that the time may not come when the President may have to exercise these powers at all. I am sure that the Bombay State itself will try to do something about this. I am sure it will certainly do because it wants to consolidate its position and maintain the progress and advancement of the State. It is merely to remove the apprehensions. Probably, unfortunately, certain things were there in the past. It is from that point of view that this amendment has been moved and I am sure it has been supported even by some who had opposed the regional formula, some of my friends like Mr. Chatterjee and other people.

Shri Kamath: I want a clarification. Among the six areas referred to in this amendment there are two which are described as, the rest of Maharashtra and the rest of Gujerat. The hon. Minister would please enlighten the House as to which of these two areas will be included in Bombay State.

Shri Pataskar: I believe we have arrived at such a happy stage that I would not like to enter into any controversy about any place. We have included, so far as I could see all the areas.

Shri Kamath: Define the areas. The rest of Maharashtra, the rest of Gujerat; how will they be included?

Saurashtra is all right. The point is, rest of Maharashtra. It is a constitutional provision. How will you define the boundaries?

Shri Pataskar: We from Bombay city expect no difficulty whatsoever.

Shri U. M. Trivedi: I had given notice of an amendment. Unfortunately the amendment was of the type, which according to the office, need not be circulated.

Mr. Speaker: It was unnecessary.

Shri U. M. Trivedi: Although it may be unnecessary, I have to say something upon it. The impression might be created that I had nothing to say on this.

Mr. Speaker: I am sure every hon. Member has something to say on it.

Shri Kamath: Because the Government formula was, Maharashtra separated from Bombay. Matter of constitution is involved.

Shri C. C. Shah (Gohilwad-Sorath): Development Boards are required for areas which are not developed and which are backward areas. Bombay City does not require development Board by itself. It has the Corporation, the Improvement Trust and the Port Trust.

Mr. Speaker: Order, please. All hon. Members need not talk simultaneously. Mr. Kamath's question will be looked into. When I call any hon. Member he may speak. Pandit Thakur Das Bhargava.

Ch. Ranbir Singh (Rohtak): Earlier I was called.

Mr. Speaker: The hon. Minister also referred to Pandit Thakur Das Bhargava's amendment. Afterwards I will call Ch. Ranbir Singh.

The following amendments to clauses 22 and 22A of the Constitution (Ninth Amendment) Bill, 1956 have been indicated by Members to be moved subject to their being otherwise admissible:

Clause No.	*No. of amendment*
22	24, 55, 36, 37, 82, 211 (Govt.), 83, 121, 122 86, 87, 88, 114, 115 116.
22A	203.

Shri K. K. Basu: I beg to move:

Page 11—

for lines 6 to 14, *substitute*:

"371. (1) Notwithstanding anything in this Constitution, the Parliament may, by law, with respect to any State provide for the constitution and functions of regional committees for the protection and safeguard of the rights and special privileges of any linguistic minority and the tribal people and their well-being and may authorise the President to make such modifications in the rules of the business of the Government of the State and in the rules of procedure of the Legislative Assembly of the State and for any special responsibility of the Governor in order to secure the proper functioning of the regional committees".

Pandit Thakur Das Bhargava: I beg to move:

(i) Page 11, line 7—

for "made" *substitute*—

"in accordance with the provisions of the Second Schedule of the Constitution (*Ninth Amendment*) Act".

(ii) Page 11, line 8—

omit "or Punjab".

(iii) Page 11, line 13—

for "Governor" *substitute* "Central Government".

Shri Hem Raj (Kangra): I beg to move:

Page 11—

after line 14, *add*:

"Provided that for the more convenient transaction of the business of Punjab Government

[Shri Hem Raj]

with regard to the regional committees, the Punjab State shall be divided into three regions, *viz.*; the Punjabi-speaking (western), the plains third speaking (southern) and the Himalayan Hindi-speaking (north-eastern) regions.

The demarcation of these regions will be done in consultation with the State Government and the wishes of the inhabitants of the areas concerned."

Shri Pataskar: I beg to move:

Page 11—

(i) line 17, *for* "Maharashtra" *substitute* "Bombay";

(ii) *for* lines 19 and 20, *substitute*—

"(a) the establishment of separate development boards for Vidarbha, Marathwada, the rest of Maharashtra, Saurashtra, Kutch and the rest of Gujarat";

(iii) lines 25 *for* "these three divisions" *substitute* "the said areas"; and

(iv) lines 30 and 31, *for* "the three divisions" *substitute* "the said areas".

Shri Hem Raj: I beg to move:

(i) Page 11—

after line 32, *add*:

"(3) Nothwithstanding anything in this Constitution, the President may by order made with respect to the State of Punjab, provide for any special responsibilty of the Government for—

(a) the establishment of a special deve opment board for the Himalayan Hindi-speaking (north-eastern) region of the State, with a provision that a report of the working of the board will be placed each year before the State Legislative Assembly;

(b) the special allocation of funds for the developmental expenditure over this region, by the Central Government over and above the equitable allocation of funds by the State Government, for a minimum period of ten years or for a longer period; and

(c) an equitable arrangement providing adequate facilities for technical education and vocational training and adequate opportunities for employment in services under the control of the State Government."

(ii) That in the amendment proposed by me and others, printed as No. 83 in List No. 9 of amendments—

in the proposed clause (3), *for* "the Government" occurring for the first time, *substitute* "the Governor".

Shri Bhakt Darshan (Garhwal Distt.—East *cum* Moradabad Distt.—North-East): I beg to move:

Page 11—

after line 32, *add*:

"(3) Notwithstanding anything in this Constitution, the President may by order made with respect to the State of Uttar Pradesh, provide for any special responsibility of the Government for—

(a) the establishment of a Special Development Board for the five Himalayan districts of the State, *viz.* Dehradun, Tehri-Garhwa, Garhwal, Almora and Nainital, which may be grouped under a common name 'Uttarakhand' with a provision that a report of the working of the Board will be placed each year before the State Legislative Assembly; and

(b) the special al ocation of funds for the developmental expenditure for this region by the Central Government over and above the allocation of funds by the State Government."

Shri V. G. Deshpande: I beg to move:

(i) Page 11—

for lines 6 to 32, *substitute*:

"371. The Parliament may by law made with respect to the States of Andhra Pradesh, Punjab and Bombay provide for any special responsibility of the Governor for—

(a) the establishment of separate development boards for different regions with the provision that a report on the working of each of these boards will be placed each year before the State Legislative Assembly;

(b) the equitable allocation of funds for developmental expediture over these regions subject to the requirements of the State as a whole; and

(c) an equitable arrangement providing adequate facilities for the technical education and vocational training and adequate opportunities for employment in services under the control of the State Government in respect of all regions subject to the requirement of the State as a whole."

(ii) Page 11—

(i) line 6, *omit* "Notwithstanding anything in this Constitution"; and

(ii) line 15, *omit* "Notwithstanding anything in this Constitution".

(iii) Page 11, lines 6 and 7,—

for "the President may, by order" *substitute* "the Parliament may, by law".

Shri N. C. Chatterjee: I beg to move:

(i) Page 11, line 7—

for "President may, by order" *substitute* "Parliament may, by law".

(ii) Page 11—

after line 14, *insert*:

"(1A) With respect to the State of Punjab provision may be made for the establishment of two or more separate Development Boards for the different regions and for the equitable allocation of funds for developmental expenditure over these regions, and also for an equitable arrangement providing adequate facilities for the development of Hindi and for technical and vocational education subject to the requirements of the State as a whole".

(iii) Page 11, line 16—

for "President may by order" *substitute* "Parliament may by law".

New Clause 22A

Pandit Thakur Das Bhargava: I beg to move:

Page 11—

after line 32, *insert*:

'22A. *Insertion of new articles 371A and 371B.*—After article 371 of the Constitution, the following articles shall be inserted, namely:—

"371A. *Special safeguards for the Hindi speaking Region.*—(1) It shall be the special responsibility of the State of Punjab to develop the Hindi speaking region and bring it into line with the Punjabi speaking region within a period of five years in all matters of social and economic progress by giving weightage in employment in public services and representation in legislature and local bodies, provision for increased allotment of water and power, allocation of sufficient amount of funds, for establishment of cottage and other industries, special grants for increased communication facilities and full opportunities for spreading education of all kinds including technical and vocational training.

[Pandit Thakur Das Bhargava]

(2) For the efficient discharge of the special responsibility mentioned in the preceding clause and generally providing for the social and economic needs of the Hindi speaking region a special board consisting of one member of the Planning Commission appointed by the Central Government as its President, the Chief Minister of the State, one Minister from the Hindi speaking region, and if he is not the Development Minister of the State, the Development Minister of the State, shall be constituted. It shall be the duty of the Board to arrange for necessary funds, ways and means and to suggest schemes, measures and programmes of work and to look to the speedy implementation of the same.

(3) The Governor of the State of Punjab shall report to the President after every two years on the progress and implementation of the general and special safeguards provided in this Act for the Hindi speaking region and the President shall give such directions as he considers proper to secure the due fulfilment of the general and special safeguards mentioned in the constitution or this Act or in any other law.

371B. (1) Two separate development Boards one each for the Hindi and Punjabi speaking regions shall be established and the report of the working of each of these Boards shall be placed each year before the State Legislative Assembly.

(2) Apart from special allocation of funds for purposes of special development equitable allocation of funds for development expenditure for these two regions shall be also made separately."

Mr. Speaker: All these amendments are before the House.

पंडित ठाकुर दास भार्गव : जनाब स्पीकर साहब, मैं अमेंडमेंट नम्बर ५५, ५८, ८१ और २०३ पर बोलना चाहता हूं । दफ़ा २१ पर मैं ने जो अमेंडमेंट्स दी थीं, वे नामन्जूर कर दी गई हैं । अब पंजाब के बारे में सिर्फ ये अमेंडमेंट्स रह जाती हैं ।

पंजाब के बारे में जो फ़ारमूला बना गया है, उस के मुताल्लिक मेरी सब से पहली शिकायत यह है कि इस फ़ारमूले को कांस्टीट्यूशन का हिस्सा नहीं बनाया गया है । इस को सिर्फ अपैंडिक्स में दर्ज किया गया है और अपैंडिक्स कभी भी इस बिल का हिस्सा नहीं बनेगा । इसके मायने ये हैं कि जो पुरानी रवायत नान-रेगुलेशन प्राविन्सिज के साथ जुड़ी हुई थीं, वे अब भी पंजाब के साथ स्टिक करती हैं । शायद अभी तक हम हिन्दुस्तान का प्रापर हिस्सा नहीं बने हैं, जिस की वजह से हम को यह इज्जत नहीं मिली है कि जो बात या फैसला हमारे मुताल्लिक हो, उस को कांस्टीट्यूशन में दर्ज किया जाय । उस को अपैंडिक्स में रैलीगेट कर दिया गया है ।

जैसा कि मैं पेश्तर कह चुका हूं, मैं इस रीजनल कमेटी के फारमूले के हक में हूं, लेकिन मेरी शिकायत यह है कि यह फारमूला, जिस की आउटलाइन दर्ज की गई है, हमारी सलाह से नहीं बनाया गया है । उस के बारे में हम से नहीं पूछा गया कि क्या हम उस में कोई तब्दीली चाहते हैं या नहीं और आया उस को चाहते भी हैं या नहीं । न उस फ़ारमूले को पार्लियामेंट के सामने रखा गया और न उस के मुताल्लिक पार्लियमेंट के मेम्बरों से पूछा गया और न उन की राय ली गई । इस के मायने ये हैं कि एक ऐसी चीज हम पर थोपी जा रही है, जिस के मुताल्लिक हमारी राय भी

नहीं ली गई—स्वाह वह हम को पसन्द हो—और इस वजह से सारे पंजाब में साइकालोजिकल फ्रस्ट्रेशन फैला हुआ है। ऐसा मालूम होता है कि यह फारमूला हमारे लीडर्ज—गवर्नमेंट के लीडर्ज या कांग्रेस के लीडर्ज—ने अकाली भाइयों के साथ मिल कर बनाया और फिर उस को इस बिल में रख दिया। लेकिन इस बात पर मेरा एतराज नहीं है। मेरी गुजारिश सिर्फ यह है कि जब तक पंजाब का एक बड़ा हिस्सा सैटिसफ़ाइड नहीं होगा, तब तक वहां पीस नहीं हो सकती है मैं इस बात को मानता हूं। मैं इस बात के खिलाफ़ नहीं हूं कि अगर किसी बड़े तबके को किसी किस्म की सैटिसफैक्शन की जरूरत है, तो वह दी जानी चाहिए। मेरे एतराजात और तरह के हैं। अमेंडमेंट ५५ और ५८ के जरिये मैं ने यह कोशिश की है कि जो आउट लाइन दी गई है, वह चन्द अमेंडमेंट के साथ सैकंड शिड्यूल बन जायें। उस फारमूले की कुछ बातें हम को मन्जूर हैं और उन को हम मानने के लिए तैयार हैं—वे हमारी मरजी से आई हैं या खिलाफ मरजी आई हैं, यह अलग बात है, लेकिन यह हकीकत है कि वे मुझे पसन्द हैं और मैं उन पर कोई एतराज नहीं करना चाहता हूं। लेकिन उस में कई बातें, ऐसी भी हैं, जिनको मैं पसन्द नहीं करता हूं। पेश्तर इस के कि मैं उनकी तरफ आऊं मैं जनाब की तवज्जह उन चन्द बातों की तरफ दिलाना चाहता हूं, जो इस अमेंडमेंट की बेसिस हैं। स्टेट्स रीआर्गनाइजेशन कमीशन की रिपोर्ट के आखिर में समरी आफ कनक्लूजन्ज और रिकमेंडेशनस दी हुई है। उन में दर्ज सफ़ा २६२ पर रिकमेंडेशन ५०, ५१ और ५२ को जरा मुलाइजा फ़रमाइये। उन में माइनारिटीज के लिए कुछ सेफ़गार्ड्ज दिए गए हैं, जिन का जिक्र पैराग्राफ ८३६ और ८४१ वगैरह में किया गया है। मैं पहले भी जिमनास्टिक का जिक्र कर चुका हूं, इसलिए मैं उन बातों को दोहराना नहीं चाहता हूं। हमारे होम मिनिस्टर साहब फरमाते हैं कि गवर्नमेंट ने कमीशन की रीकमेंडेशन्ज को आम तौर पर एक्सेप्ट कर लिया है। मैं यह जानना चाहता हूं कि फिर क्या वजह है कि इन दो स्पेसिफ़िक रीकमेंडेशन्ज को मन्जूर न किया जाये।

अभी पाटस्कर साहब ने जो अमेंडमेंट मूव की है, मैं उसमें कई एरियाज के लिए डेवेलपमेंट बोर्ड दिए गए हैं। क्लाज २२ की सब-क्लाज २ में विदर्भ, मराठवाड़ा और बाकी स्टेट के लिए तीन अलग डेवेलपमेंट बोर्ड बनाए गए हैं, डेवेलपमेंटल एक्सपेंडीचर के लिए फ़ंड्ज की ईक्वीटेबल एलोकेशन का इन्तजाम किया गया है और हर एक हिस्से के लोगों के लिए टेक्निकल एजूकेशन, वोकेशनल ट्रेनिंग और सर्विसिज में एडीक्वेट अपरचूनिटीज फ़ार एम्पलायमेंट प्रोवाइड की गई हैं। वहां पर लिखा है :—

"(a) the establishment of three separate development boards....;

(b) the equitable allocation of funds for developmental expenditure.....;

(c) an equitable arrangement providing adequate facilities for technical education and vocational training, and adequate opportunities for employment in services under the control of the State Government, in respect of all the three divisions....."

मैं नहीं समझ सका कि पंजाब को क्यों डेवेलपमेंट बोर्ड से महरुम किया गया है। चुनांचे मैं ने अमेंडमेंट २०३ के जरिये यह प्रावाइड करने की कोशिश कि है कि पंजाब में डेवेलपमेंट बोर्ड होना चाहिए। पंजाब और आंध्र, इन दो स्टेट्स में रिजनल कमेटीज प्रोवाइड की गई हैं। आंध्र में भी डेवेलपमेंट

[पंडित ठाकुर दास भार्गव]

बोर्ड का जिक्र नहीं है, लेकिन सिलेक्ट कमेटी की रिपोर्ट पढ़ने से मालूम होता है कि वहां के लोगों ने आपस में कोई अरेंजमेंट कर लिया है और कल डा० लंका सुन्दरम की मेहरबानी से मुझे यह देखने को मिला कि उन्होंने किस तरह का एग्रीमेंट किया है । सिर्फ इतना ही नहीं, उन्होंने एम्पलायमेंट का फैसला कर लिया, मिनिस्ट्रीज के पोर्टफोलियोज का भी फैसला कर लिया, अपनी जो रेजीडेंशियल क्वालीफिकेशन थी उसको भी रख लिया । मैं पंजाब के लिए यह चीज नहीं चाहता क्यों कि एक स्टेट के लिए मैं इस चीज को नुक्सानदेह समझता हूं । लेकिन जैसा कि होम मिनिस्टर साहब ने फरमाया कि हर जगह डेवेलपमेंट बोर्ड बनेंगे ताकि डिस-पैरिटी रिमूव हो, मैं भी चाहता हूं कि हमारे यहां भी डेवेलपमेंट बोर्ड बनें । मेरी समझ में नहीं आया कि पंजाब के वास्ते डेवेलपमेंट बोर्ड बनाये जाने का प्राविजन क्यों नहीं रखा गया । मैं तो समझता था कि जहां रीजनल कमेटीज बनेंगी वहां पर डेवेलपमेंट बोर्ड जरूर बनेंगे । हमारे यहां जो रीजनल कमेटी बनेगी वह तो लेजिस्लेटिव असेम्बली का एक छोटा सा हिस्सा होगी और वह सिर्फ इसी गरज के वास्ते कि वह लेजिस्लेशन में इमदाद दे । लेकिन जहां तक डेवेलप-मेंट बोर्ड का सवाल है इस आउटलाइन में उस के बारे में एक लफ्ज भी दर्ज नहीं है । या तो यह हो सकता है कि होम मिनिस्टर साहब इस रीजनल कमेटी को डेवेलपमेंट बोर्ड से भी कुछ ज्यादा देना चाहते हैं । यहां पर रीजनल कमेटी को १४ सबजेक्ट्स में लेजिस्लेशन का अख्तियार दिया गया है । मैं जानना चाहता हूं कि क्या इस कमेटी को डेवेलप-मेंट बोर्ड से आप कुछ ज्यादा चीज देना चाहते हैं । क्या आप उसको यह अख्तियार देना चाहते हैं कि वह डेवेलपमेंट भी कर सके और उसके मुताल्लिक कानून भी बना सके । अगर होम मिनिस्टर साहब का यह ख्याल है तो मुझे इसके बारे में और कुछ अर्ज नहीं करना है ।

मैंने श्रीबाग पैक्ट देखा है, नागपुर पैक्ट देखा और आंध्र का पैक्ट भी देखा है । लेकिन हम पंजाब में इस हद तक नहीं जाना चाहते लेकिन ताहम जो मोटे मोटे उसूल हैं उनको हम जरूर चाहते हैं । चुनांचे मेरी गुजारिश यह है कि जो खास चीजें हम चाहते हैं वे ये हैं ।

मसलन मैं चाहता हूं कि जो अख्तियार आप गवर्नर को देना चाहते हैं वे सेंट्रल गवर्नमेंट को दे दिये जायें । मैं ने श्री चटर्जी साहब की बहस को सुना । उन्होंने हम को बहुत कुछ पोलीटिकल साइंस पढ़ानी चाही लेकिन हम भी पालीटिकल साइंस सीखते सीखते बूढ़े हो गये हैं । मैं इस चीज को मानने को तैयार नहीं हूं कि अगर गवर्नर को ये अख्तियार दे दिये जावेंगे तो यह बड़ी अनकांस्टीटयूशनल बात होगी और अनडिमोक्रेटिक बात होगी । पिछले जमाने में भी गवर्नमेंट ने गवर्नरों को माइनारीटीज के प्रोटेक्शन के लिए खास अख्तियार दिये थे । मैं यह मानने को तैयार नहीं हूं कि ऐसा करने से सारा कांस्टीट्यशन ही बरबाद हो जायेगा । लेकिन मैं अपनी स्टेट के इंटरेस्ट में यह अर्ज करना चाहता हूं कि अच्छा हो कि आप गवर्नर को पार्टीबाजी से अलग रखें और ये अख्तियार सेंट्रल गवर्नमेंट को दे दें । मैं जानता हूं कि ऐसे मौके बहुत कम आवेंगे जब कि रीजनल कमेटी और लेजिस्लेटिव असेम्बली आपस में लड़ने लगें । लेकिन अगर कभी ऐसा मौका आवे तो अगर आप यह अख्तियार गवर्नर को न देकर सेंट्रल गवर्नमेंट को देंगे तो सेंट्रल गवर्नमेंट के फैसले से दोनों फरीकों को ज्यादा इत्मीनान होगा । इसलिए

मैं चाहता हूं कि आप मेहरबानी फरमाकर यह अख्तियार सेंट्रल गवर्नमेंट को ही दें ।

इसके अलावा मैं अर्ज करूंगा कि जब मेरी स्टेट बाईलिंग्वल है तो मुझे पंजाबी की तरक्की से कोई इख्तिलाफ नहीं है । जैसा अभी मेरे भाई विद्यालंकार साहब ने कहा पंजाबी में संस्कृत के बहुत से अल्फाज हैं । इसलिए पंजाबी की तरक्की होगी तो हिन्दी की भी तरक्की होगी । लेकिन सवाल सिर्फ आफिशियल लेंग्वेज का है । आपने कहा कि यह स्टेट बाईलिंग्वल होगी, हमने इसको कबूल कर लिया । लेकिन जो दूसरी चीजें आपने लिखी हैं उनसे मैं इत्तिफाक नहीं करता, और मैं समझता हूं कि वे चीजें जायज नहीं हैं । मैं नहीं चाहता कि कांस्टीट्यूशन के बखिलाफ हम पर जबरदस्ती गुरुमुखी को थोपा जाये । मैं गुरुमुखी की उतनी ही कद्र करता हूं जितनी कि हमारे सिख भाई करते हैं, लेकिन मैं यह नहीं चाहता कि वह हमारे ऊपर थोपी जाये । यह इल्लीगल है, यह अनकांस्टीट्यूशनल है । यह चीज नहीं रखी जानी चाहिए ।

इसके अलावा एक खास चीज पर मुझे ऐतराज है जिसको मैं फिर दुहरा देना चाहता हूं, और यह मेरी खुशकिस्मती है कि हमारे पंत जी साहब इस वक्त यहां तशरीफ रखते हैं । मैं यह उनकी खिदमत में मुअद्बाना अर्ज करूंगा और शायद मेरे यह अर्ज करने का यह आखिरी मौका होगा । इसलिए मैं चाहूंगा कि जो कुछ मैं अर्ज करूंगा उस पर वह गौर फरमावें । असल मजमून पर आने से पहले मैं चाहता हूं कि मैं एक कहानी सुना दूं, जो कि एक सच्ची कहानी है । मैं चौथी जमाअत में पढ़ता था तो हमारे उस्ताद की यह आदत थी. .

Mr. Speaker: Where is the time for stories?

Pandit Thakur Das Bhargava: Only half a minute; it is pertinent to the subject. Instead of giving an argument, I am only telling a story.

तो मैं अर्ज कर रहा था कि हमारे उस्ताद की यह आदत थी कि जो लड़का उनके पास शिकायत करने के वास्ते जाता था पहले वह उसको सजा देते थे कि तुम शिकायत करने क्यों आये हो, तुम अपने आप को बचा क्यों नहीं सके । और उसके बाद अगर उसकी शिकायत सही होती थी तो सारी जमाअत में जिसका कसूर होता था उसको सजा देते थे । हमारे पन्त जी ने जो परसों फरमाया उसको सुनकर मुझे अपने मास्टर साहब की याद आ गयी । पंत जी ने फरमाया था कि उनको शिकायत पसन्द नहीं है । ठीक है, जो आदमी मजबूत होता है उसको कभी शिकायत पसन्द नहीं होनी चाहिए । शिकायत तो वह गरीब करता है जो हर तरह से दुखी होता है लेकिन अगर हमारी शिकायत सही है, तो मैं अदब से अर्ज करूंगा कि जो तरीका हमारे मास्टर साहब अपनाते थे वही तरीका पंत जी साहब भी अख्तियार फरमावेंगे । यहां पर आपने फरमाया है कि शायद हरियाना को कुछ लेजिटिमेट शिकायत है । मेरी अदब से गुजारिश है कि वह शिकायत हमने सिर्फ हाउस में ही नहीं रखी है । हमने उस शिकायत को कमीशन के सामने रखा, पंडित नेहरू के सामने रखा और पंत जी के सामने भी रखा है । मैं कहता हूं कि अगर मेरी शिकायत झूठी है तो आप मेरे अमेंडमेंट्स को उठाकर फेंक दीजिये । लेकिन अगर हमारी शिकायत सही है तो फिर आप "परहैप्स" क्यों कहते हैं ? मैं अर्ज करना चाहता हूं कि अगर आप हम को बराबरी का दर्जा देना चाहते हैं तो पहले हमारे उन जख्मों को भरने की कोशिश कीजिये जो कि सौ बरस से चले आ रहे हैं । यह मैं कई मर्तबा अर्ज कर चुका हूं । मैं कुछ मिसालें आपके सामने

[पंडित ठाकुर दास भार्गव]

रखना चाहता हूं । आप गौर फरमायें कि पंजाब में १२३ गांव माडिल विलेज बनाये गये जिनमें से हरियाना में सिर्फ ६ हैं । इसके अलावा हमको पीने के पानी की बहुत तकलीफ है । हमको इसके लिए जो रकम दी जाती है वह बहुत इनएडीक्वेट है बनिस्बत उनके जिनको कि पानी की तकलीफ नहीं है । इसके अलावा आप रेलगाड़ी की तरफ तवज्जह फरमावें । जब लड़ाई शुरू हुई तो सब से पहले रोहतक की एक लाइन डिस्मेंटिल कर दी गयी थी । अब सारे हिन्दुस्तान की इस तरह से डिस्मेंटिल की हुई लाइनें बन गयीं लेकिन रोहतक की लाइन अभी तक नहीं बनी है । सन् १९२९-३० में भिवानी से रोहतक तक के लिए लाइन मंजूर की गयी थी लेकिन वह आज तक नहीं बनी है । अपने करीब आप गुडगांवां को ही लीजिये । गुडगांव से अलवर तक कोई लाइन नहीं है । इसके लिए हम यहां पर रोज झगड़ा करते हैं लेकिन हमारे रेलवे मिनिस्टर साहब कह देते हैं कि इसके लिए पंजाब गवर्नमेंट की सिफारिश लाओ । हम वह सिफारिश कहां से ला सकते हैं? मैं अदब से अर्ज करना चाहता हूं कि पानी के बारे में, कम्युनिकेशन्स के बारे में हमारा इलाका बहुत पिछड़ा हुआ है । पानी जो कि सब से जरूरी चीज है उसकी हमारे यहां पर बहुत सख्त कमी है । इसके लिए हमको किदवई साहब ने ढाई करोड़ रुपया देने का वायदा किया था लेकिन आज तक एक रुपया भी नहीं दिया गया है । गुड़गांव से होकर पानी की नहर निकलती है लेकिन उससे गुड़गांव वालों को बहुत कम पानी मिलता है, वह नहर यू० पी० को चली जाती है । ये हमारी खास खास शिकायतें हैं । जैसी कि अभी हमारे भाई ने नौकरी के बारे में शिकायत की वह मैं नहीं कहना चाहता । मुझे सिख भाइयों से कोई झगड़ा नहीं है । आप चाहें तो मेरे इलाके में सारे सिख अफसर रख दें । मैं कम्युनल डिमांड नहीं करना चाहता । मैं ने तो कई दफा अर्ज किया था कि मैं तो सिख चीफ मिनिस्टर चाहता हूं । मगर मेरिट्स पर वह होना चाहिये लेकिन मैं चाहता हूं कि मेरे इलाके के लोगों को इत्मीनान दिलाने के वास्ते यह जरूरी है कि उनको ज्यादा नौकरियां दी जायें । क्लास १, २ और ३ में हमारे यहां के लोग १५ पर सेंट भी नहीं हैं । और तो क्या नायब तहसीलदार और तहसीलदार भी हमारे यहां वाले दस पर सेंट भी नहीं हैं । कोई डिप्टी कमिश्नर नहीं है, न सुपरिंटेंडेंट पुलिस है, न हाईकोर्ट का कोई जज है । काउंसिल आफ स्टेट में जो पंजाब के आठ मेम्बर हैं उनमें एक भी मेरे इलाके का नहीं है । मैं किस किस चीज को गिनाऊं । आपने कहा है कि हम सरविसेज के वास्ते सरकुलर जारी कर देंगे । मैं तो चाहता हूं कि इस सरकुलर के जरिये आप पंजाब सरकार पर यह जिम्मेवारी डालें कि वह हमको नौकरियों में बराबरी दे । हमारा कोई अपने भाइयों से झगड़ा नहीं है और न हमारी यह डिमांड कम्युनल है । मेरी डिमांड तो सीधी है । मैं तो चाहता हूं कि जिन चीजों का मैं ने जिक्र किया है उनके बारे में पंजाब सरकार पर जिम्मेवारी डाली जाये कि इन चीजों में हमको वेटेज दिया जाये । अगर ऐसा नहीं होगा तो १५ साल में हमारे यहां का एक आदमी भी डिप्टी कमिश्नर नहीं बन सकेगा । अगर आप पंजाब सरकार के ऊपर अभी से यह जिम्मेवारी नहीं डालेंगे तो १५ बरस तक कोई हमको पूछेगा नहीं कि तुम्हारे मुंह में कितने दांत हैं । इस वास्ते यह बिल्कुल जरूरी है कि उन सब चीजों में, कौटेज इंडस्ट्रीज में और दूसरी चीजों में आप हमको वेटेज दें और उसको ठीक से अमल में लाने के लिए

गवर्नर के जिम्मे यह भार डाला जाये और आपकी इस रिपोर्ट के मुताबिक प्लानिंग कमिशन के एक अफसर को अधिकार दिया जाये कि डिमांड्स को देखे और मिल कर उनके बारे में फैसला करे और हर तीसरे वर्ष आपकी खिदमत में रिपोर्ट आये और आप देखें यह कि हम वहां तक पहुंच गये हैं या नहीं ।

श्री चटर्जी से मैं अदब से पूछना चाहूंगा जिन्होंने यह कहा है कि अगर आपने सर्विसेज का जिक्र किया तो हिन्दुस्तान की हुकूमत कायम नहीं रह सकेगी तो क्या आपने ऐंग्लो इंडियंस को जो दस वर्ष के वास्ते वेटेज दिया है उससे क्या हिन्दुस्तान डूब गया या हिन्दुस्तान की हुकूमत खत्म हो गई ? इसी तरह आपने जो सर्विसेज वगैरह में शेड्यूल्ड कास्ट के पिछड़े हुए भाइयों को वेटेज दिया है तो क्या उससे हिन्दुस्तान खत्म हो गया ? हिन्दुस्तान और हिन्दुस्तान की हुकूमत उसी तरह बरकरार है और जिन्दा है । ऐसे लोग जिनके साथ इंसाफ किया जाना चाहिए और जिनकी कि खस्ता और पस्त हालत हो, वह अगर आपकी खिदमत में अपनी अर्जदाश्त लेकर आयें तो उनको यह कहना कि वहां पर लोग काम नहीं करते, उनके साथ सरासर नाइंसाफी और जुल्म करना है । मैं इस चीज को यहां पर बहुत साफ तौर से बाजे कर देना चाहता हूं कि हमारे लोग काम करने को तैयार हैं बशर्ते कि हमारे लिए माहौल बने । अब पंजाब की गवर्नमेंट की हालत यह है कि वहां कोई प्राविंशियल अटोनोमी नहीं है और वहां के वजीर लोग यहां आये दिन दिल्ली में बैठे रहते हैं और प्रैक्टिकली हकूमत दिल्ली से गवर्न होती है और जिसका कि नतीजा यह हो रहा है कि वहां की जनता और उनके चुने हुए प्रतिनिधि अपनी मंशा के मुआफिक पंजाब गवर्नमेंट से काम नहीं करा सकते और हमने देखा कि हमारे होते हुए हमारी आंखों के सामने १० हजार भाइयों को कैद कर लिया और कुछ पर्वाह नहीं की गई । यहां पर ५० आदमी अपनी बात सुनाने आये लेकिन उनकी बात सुनी नहीं गई । आपका यह ताना देना कि हम क्या करें तुम लोग काम नहीं करते, दुरुस्त नहीं है क्योंकि काम करने के लिए पहले माहौल तो पैदा कीजिये । मैं आपसे पूछना चाहता हूं कि क्या बंगाल और बम्बई के गवर्नर भी रोज यहां आये दिन पूछने और सलाह लेने आते हैं ? हम चाहते हैं कि आप जो हमारे गार्जियंस यहां पर बने हुए हैं हमारी बात सुनें और हमारी दिक्कतों को हल करें और यह न फरमायें जब कि हम आपकी खिदमत में हाजिर हों कि आप अपनी खुद कोशिश करिये । जहां तक हमारे कोशिश करने का सवाल है वह तो मैं ने आपको बतलाया कि "ऐट दी बैक आफ दी होल लेजिस्लेचर " यहां आकर चुपचाप मामलों को तय न कर लिया करें ।

मैं जनाब स्पीकर साहब की इजाजत से चूंकि मेरे पास उस अर्जदाश्त को जो कि हरियाना के ३३ मेम्बरान ने भेजी है पढ़ कर सुनाने का समय नहीं है, इसलिए मैं उस अर्जदाश्त को आपकी इजाजत से सदन की मेज कर रक्खे देता हूं ।

Mr. Speaker: When documents are sought to be placed on the Table, I have noticed that one document is referred to and another document is placed on the Table.

Pandit Thakur Das Bhargava: I am laying the copy on the Table.

Mr. Speaker: I will scrutinise it....

Pandit Thakur Das Bhargava: Let it be scrutinised.

Mr. Speaker:....and if it is admissible, I will treat it as laid.

चौ० रणबीर सिंह (रोहतक) : अध्यक्ष महोदय, मैं २०३ नम्बर के संशोधन का समर्थन करने के लिए खड़ा हुआ हूं ।

[चौ० रणवीर सिंह]

इस संशोधन पर पंजाब और पेप्सू के २२ में से १५ आदमियों के हस्ताक्षर हैं । जिस वक्त यह संशोधन लिखा गया था उस वक्त ४ आदमी पंजाब और पेप्सू के गैरहाजिर थे और मुझे पूरा विश्वास है कि हमारे इलाके के डिप्टी मिनिस्टर, डिप्टी स्पीकर और जो दो उनके और साथी हैं वे भी हमारे साथ हैं और इस तरीके से हमारे पूरे २२ मेम्बर्स होते हैं । जब हम यहां पर कोई बात लेकर आते हैं तो हमसे यह कहा जाता है कि हमारे पास आपस में कोई समझौता करके ही आओ और पिछली दफ़ा जब हमारे पंजाब और पेप्सू की कौंसिल के रिकांस्टिट्यूट होने का सवाल था तो हमें यही राय दी गई थी । जहां तक इस संशोधन का सम्बन्ध है, अध्यक्ष महोदय, मेरा निवेदन यह है कि हम पंजाब और पेप्सू वाले सब के सब तकरीबन मुत्तफिक हैं । मुझे नहीं मालूम कि कोई इसमें एख्तलाफ राय रखता है । कल दो भाई जो गैरहाजिर थे, उन दोनों से जब मैं ने बात की तो वह भी मेरे साथ सहमत थे ।

चटर्जी साहब ने पंजाब की बाबत कुछ बातें कहीं । पंजाब के अन्दर जब राज्य पुनर्गठन का सवाल उठा तो पंजाब में ४, ५ किस्म के खयालात थे । कुछ भाई ऐसे थे जो दिल्ली के आस-पास के रहने वाले थे और जिनको कि सन् १८५७ में इस देश की सेवा करने के कारण सजा दी गई थी और उनके इलाकों को दिल्ली के इलाके से काट कर पंजाब के साथ मिला दिया गया था और जो आज तक एक तरह से उनकी कालोनी बने हुए हैं और आज भी कुछ दोस्त हैं जो कालोनी समझते हैं और जो समझते हैं कि जालन्धर के इलाके के कुछ लोगों को तरक्की करने के लिए वहां अच्छी जगह है । एक तरफ वह दोस्त थे जिनके कि दिल में कोई हिन्दी और पंजाबी का झगड़ा नहीं था और हिन्दू और सिख का कोई झगड़ा नहीं था, केवल आर्थिक सवाल उनके सामने था और वह चाहते थे कि पंजाब से वे अलहिदा हों । इसी तरीके से हिमाचल देश के भाई थे जो पंजाब के साथ आना नहीं चाहते थे क्यों कि वे जानते थे कि शायद उनकी असेम्बली जिस तरीके से कि अभी हाउस ने और हमने फैसला किया, उनकी असेम्बली और वजारत छीन लें लेकिन वह इस बात के लिए तैयार थे कि उनकी असेम्बली और वजारत छीन लें । हमें अपने लोगों की तरक्की के लिए रुपया चाहिए । पिछले पांच साल में हिमाचल प्रदेश को ४ करोड़ रुपया दिया गया और इस दूसरे सेकेंड फाइव इयर प्लान के तहत उन्हें १५ करोड़ रुपया दिया जा रहा है । इस तरह से १० साल के अन्दर हिमाचल प्रदेश को तकरीबन १६ करोड़ या २० करोड़ के करीब रुपया दिया जायेगा । मेरा कहना है कि उतना ही इलाका हमारे सूबे के एक जिले का है और जिसका कि नाम कांगड़ा है और जिससे कि हमारे साथी श्री हेम राज आते हैं । कांगड़े का उतना ही इलाका है और करीब करीब उतनी ही आबादी है और फ्रंटियर पर वाकै है वहां की तरक्की के लिए सरकार ने कितना रुपया दिया । एक तरफ तो दस साल में २० करोड़ रुपया तरक्की के लिए दिया गया जब कि इस कांगड़े के इलाके को शायद उतने लाख रुपये भी नहीं मिलते हैं और मैं श्री चटर्जी साहब से पूछना चाहता हूं कि क्या इस ओर सरकार का ध्यान दिलाना और उसके लिए मांग करना कोई कम्युनल चीज है ? जिस तरीके से हिमाचल प्रदेश के लोगों ने एक आवाज से कहा कि हम पंजाब के साथ नहीं आना चाहते उसी तरीके से मैं यह मानता हूं कि यह जो हमारा संशोधन है वह अगर मंजूर नहीं हुआ

या संशोधन से जो हमारा आशय है उसको कार्यरूप में परिणत नहीं किया गया तो मुझे इस बात में कोई शक नहीं मालूम देता कि ४, ५ साल के अन्दर यह हस्याने का इलाका और कांगड़े का इलाका एक आवाज से यह बात कहेगा कि बेशक आप हमारी असेम्बली ले लें, हम असेम्बली की मेम्बरी नहीं चाहते, हम वजारत नहीं चाहते, हम तो केवल अपने इलाके की तरक्की चाहते हैं ।

अध्यक्ष महोदय, जैसा कि मैं ने शुरू में कहा हमारे लिए यह कम्युनल सवाल नहीं है और न ही यह हमारे लिए हिन्दी और गुरुमुखी का सवाल हो सकता है और यह जो आवाज एक भाई ने उठाई कि यह हिन्दी के रास्ते में रोड़ा अटकाने का सवाल है या कुछ भाई लोगों ने ऐसा कहा कि यह गुरुमुखी की तरक्की को रोकने का सवाल है, यह दोनों ही आवाजें गलत हैं बल्कि हम जो करीब ६५ लाख लोग वहां पर बसते हैं उन की आर्थिक तरक्की करने का सवाल है, इससे फालतू हमारा इसके अन्दर कोई आशय नहीं है ।

अध्यक्ष महोदय, जहां तक हमारे सैकेंड फाइव इयर प्लान का सवाल है, अगर सिर्फ रीजनल कमेटियां जैसी कि हमें दी गई हैं, उन रीजनल कमेटियों की मार्फत हमारा जो सेकेंड फाइव इयर प्लान है और जिसके कि तौरान पंजाब और पेप्सू में १२६ करोड़ और १५ करोड़ रुपये का खर्च का अंदाजा लगाया गया है, अगले पांच सालों में उसके खर्च को हम उन कमेटियों की मार्फत देख कर के अपने इलाकों की आबादी और हालात को देखते हुए नहीं बदलवा सकते हैं तो मैं समझता हूं कि अगले चार या पांच साल के बाद हमारे हर इलाके का आदमी यह समझेगा कि रीजनल कमेटी फालतू थी ।

आज हमारे कुछ साथी हैं, जालन्धर डिवीजन के, कुछ अन्य हिन्दू भी हैं, जो कि यह समझते हैं कि अकाली पार्टी के सामने घुटने टेकने के लिये यह रीजनल कमेटियां बनाई गई । लेकिन दूसरी तरफ हमारे इलाके के भाई हैं जो कि इसके अन्दर अपनी आर्थिक उन्नति की आशा करते हैं, कुछ झलक देखते हैं उस की, वह आज खुश हैं और दूसरों के बहकावे में आने के लिये वे तैयार नहीं हैं । अभी श्री चटर्जी ने कहा कि पार्टिशन के बाद कुछ भाई इधर आये । मैं उन को बता दूं कि उन की तादाद हमारे इलाके में ६५ लाख में से मुश्किल से ८ लाख है । ऐसी हालत में क्या आप समझते हैं कि डिमाक्रेसी के जमाने में, अगर वह ८ लाख आदमी कोई ऐसी आवाज उठाना चाहते हों जो हमारे ख्याल के खिलाफ हों, तो, यों हम उन का आर्थिक हित चाहते हैं, वह चीज हमारे हक में होगी ? जो चीज ५५ लाख आदमियों के हित में नहीं होगी, जो उन के खयालात होंगे, उन के जो तरीके होंगे, वह आज की डिमाक्रेसी के अन्दर चलेंगे ?

चटर्जी साहब ने कहा कि जो यह रीजनल कमेटियां हैं, वह हमारे संविधान के खिलाफ जायेंगी । मैं उनसे पूछना चाहता हूं कि क्या वह उन को इतना ताकतवर समझते हैं ? पिछले दिन उन्होंने कहा था कि हरियाना की रीजनल कौंसिल के ६४, ६५ आदमियों में से ३३ आदमी अगर कोई फैसला करेंगे तो वह पंजाब असेम्बली के तमाम फैसले को रोक सकेंगे । अगर वह इस रीजनल कौंसिल को इतनी ही ताकतवर समझते थे तो जिस वक्त हिन्दुस्तान की सरकार की तरफ से और देश के नेताओं की तरफ से एक बुलावा दिया कि बंगाल और बिहार को इकट्ठा कर दिया जाये, तो वह इस से क्यों घबराते थे । आखिर जो ताकत हमें मिल रही है, वही ताकत उन के पास

[चौ० रणबीर सिंह]

होती, अगर हमारे ३३ आदमी पंजाब की असेम्बली की आवाज को खत्म कर सकते हैं तो बंगाल के आधे मेम्बर, बंगाल बिहार की जो असेम्बली बनती उस की ताकत को खत्म क्यों नहीं कर सकते थे ? जब इसके अन्दर उन को इतनी ताकत दिखाई देती है, तो उन को डर क्यों था ? बात साफ है, जिस वक्त दूसरे आदमी को पीर होती है, उस को कोई उस ढंग से नहीं समझ सकता जिस तरह से कि अपनी पीर मालूम होती है । आदमी के खयालात कुछ और होते हैं, और वह सोचता कुछ और है । जो बात आज चटर्जी साहब पंजाब के लिये कहते हैं वही बंगाल और बिहार के ऊपर भी लागू होती थी । लेकिन आज क्या होता है कि बंगाल बिहार के लिये वह और बात कहते थे और पंजाब के लिये और बात कहते हैं । जब गुजरात और महाराष्ट्र का सवाल आता है तो उन का दिल दूसरा हो जाता है । आखिर, क्या वह यह समझते हैं कि जो सदस्य यहां बैठे हुए हैं वह सब उन की बात को समझ नहीं सकते हैं ? या वह यह कहना चाहते हैं कि उन का ही दिल एक ऐसा दिल है जो तमाम जनता को बहका सकता है । मैं उन से यह कहना चाहता हूं कि शायद बंगाल के कुछ दोस्त मिल जायें, जिनको आप बहुत बहुत पढ़ा लिखा समझते हैं, जो कि उनके बहकावे में आ जायें, लेकिन पंजाब का सूबा ऐसा नहीं है । पंजाब का वह सूबा है जिसके अन्दर हिन्दू महासभा के दोस्तों ने २५, ३० सालों से कोशिश की कि उन्हें एक सीट मिल जाये । मैं कोई पिछले एलेक्शन की बात नहीं कह रहा हूं, पिछले २५, ३० सालों तक पंजाब के अन्दर जो एलेक्शन लड़े गये, वह आर्थिक सवाल पर लड़े गये, हिन्दू, मुसलमान और सिखों के सवाल पर नहीं लड़े गये । और वहां पर जब भी अकसरियत आई तो उन्हीं लोगों की आई जो कि आर्थिक सवाल को उठाने वाले थे । मैं चैटर्जी साहब से अर्ज करना चाहता हूं कि वह वहां पर आ कर बड़ी बड़ी बातें करते हैं, और उनके आदमी उन की मार्फत अपनी वकालत करवाते हैं । लेकिन वह जिनकी वकालत यहां पर करते हैं, वह कौन दोस्त हैं । वह वही लोग हैं जो, जब कांग्रेस प्रधान वहां पर जाता है, भूदान के लिये अपना सन्देश जनता को सुनाना चाहता है, उस सन्देश को सुनाने की इजाजत नहीं देते हैं । ढेले फेंके जाते हैं, वह खुद ढेले फेंकते हैं मीटिंगों को खराब करते हैं, लेकिन जिन लोगों के खिलाफ वह ढेले फेंकते हैं, जिन के हाथ में आज ताकत है कानून की, जिन के हाथों में आज राज्यसत्ता है उनकी मीटिंगों को खराब करते हैं और उन्हें ही जालिम कहते हैं । अजीब जमाना है । एक जमाना था जब कि लोग यह समझा करते थे कि अगर किसी के हाथ में ताकत नहीं होती थी, उस को बोलने नहीं दिया जाता था, तो वह गिला नहीं कर सकता था, लेकिन आज अजीब जमाना है कि आर्थिक सत्ता जिनके हाथ में है, जिन लोगों की तादाद कोई १०, २०, २५, ५५ या ६० फी सदी नहीं, ८० फी सदी है उन के खयालात एक तरफ हैं, लेकिन उनकी मीटिंगों को नहीं होने दिया जाता और उल्टे कहा जाता है कि हम को तबाह कर दिया गया, हमारे साथ जुल्म हुआ । जैसा अभी बंसल साहब ने बताया कि डिमाक्रेसी के बारे में उन के क्या विचार हैं, मैं उनकी बात को मानता हूं । लोकतंत्र किसे कहते हैं और वह किस तरह से चलना चाहिये, यह हमें सीखना होगा । मेरा तो यही कहना है कि आज यह हो रहा है कि लोकतंत्र से लोग पीछे हट रहे हैं, लोकतंत्र के खिलाफ बोल रहे हैं, जिन की तादाद कम है, उन्हें हर तरह

की छूट है, वह जो चाहें कह सकते हैं, लेकिन एक ऐसा आदमी जो कि ज्यादा तादाद वालों का प्रतिनिधित्व करता है, वह अपनी बात कह तक न सके । अगर यही लोकतंत्र कहलाता है, तो यह एक अजीब व्याख्या लोकतंत्र की होगी ।

जैसा मैं ने पहले आप से अर्ज किया अगर किसी वजह से हमारे संशोधन को गृह मंत्री जी मंजूर नहीं कर सकते, तो मैं उन से प्रार्थना करूंगा कि जो अख्त्यारात वह गवर्नर को देना चाहते हैं, जिन अख्त्यारात से हमारे चैटर्जी साहब डरते हैं, फिर समझते हैं कि गवर्नर डिक्टेटर बन जायेगा और संविधान के खिलाफ कारवाइयां करेगा, वह उस को हिदायत दें । जो हमारे खयालात यहां पर हैं, उन को गृह मंत्री जी तक पहुंचायें। यही नहीं कि उन खयालात को पहुंचायें, बल्कि जब तक हमारा सिस्टम चलता है, उस वक्त तक वह इस बात को देखें कि हमारे खयालात के ऊपर ही हमारी राज्य सरकारें चलें ।

Sardar Hukam Singh: Mr. Speaker, Sir, I feel very much encouraged today when I stand to speak on this regional formula. Our Prime Minister observed the other day that the Punjabis were sturdy, strong and healthy but one defect with them was that they were always fighting against each other, always pulling against each other. But today I find that even the Punjabis have unanimity so far as this regional formula is concerned. Shri N. C. Chatterjee has spoken against it, Shri U. M. Trivedi says he is going to speak and he is opposed to it.

Shri U. M. Trivedi: If allowed.

Sardar Hukam Singh: Even if he is not allowed I am admitting that he is opposed to it. But both do not belong to Punjab. So far as Punjab is concerned, every hon. Member who represents any constituency here has supported this regional formula today and, of course, it would go a long way in bringing about that harmony which we have been seeking for so long a time.

Shri Chatterjee has used every adjective that he could find in any book or in any constitutional treatise. He says it is undemocratic, unconstitutional, illegal and everything that he could lay his hands upon. But he has not given us any solution of the problems that Punjab was suffering from. He always claims that there is a large section, a majority of people who have not liked it and do not accept it. He says that this regional formula has not solved any of the problem that Punjab was suffering from. It is very strange that even when arithmetic cannot support him he continues to argue in the same strain. As proposed by the States Reorganisation Commission, that Maha Punjab, or whatever it would have been, would have contained 171 lakhs of people. Eleven lakhs of people from Himachal Pradesh do not want to be merged into Punjab, not even a man. They had declared their intention so unequivocally. Then Pandit Thakur Das Bhargava has said, and other hon. Members from Hariana Prant have supported it, that 60 lakhs of people from Hariana Prant are in favour of this regional formula. They do not want anything else.

Pandit Thakur Das Bhargava: More than 60 lakhs.

Sardar Hukam Singh: I am supporting him even if he says, 70 lakhs. 65 lakhs or 75 lakhs, whatever figure he may like to give, of people have supported it. Then there are 55 lakhs Sikhs—everybody is united on that point—who also support it. They form more than 130 lakhs. Out of 171 lakhs, if 131 lakhs are in favour of this and they are opposed to the proposal sponsored by the SRC, is not the formula a right one? He said again and again that the majority of people are against this. That only reminds me of the saying that "Even though vanquished he would argue still." He would not be content even with this. But I can assure him that even the remaining 40 or

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45 lakhs or at least a good number out of them, are in favour of this formula, and who support it. They may not be as vocal as he is, but many of them support this formula.

Then, Shri N. C. Chatterjee read in extenso some paragraphs from the report of the SRC and tried to argue that there is no language problem, that there are no distinct language zones and that the demarcation line between Punjabi and Hindi-speaking people has been cleared by the migration of Punjabi-speaking people. Certainly, these were the bases which were taken for granted by the SRC, but what solution did they offer? What result did they come to? Ultimately, in paragraph 533 of the report, after arguing all the points, the Commission said:

> "An arrangement such as that contemplated under the Sachar-Gyani formula, based on the recognition of the bilingual character of this area would provide, in these circumstances, a more effective solution of the problem...."

What is this formula which was ultimately arrived at? This formula presupposes that there are two distinct zones—Punjabi-speaking and Hindi-speaking. This formula presupposes that Punjab has its own script—Gurmukhi script. If there has been migration from West Punjab, that migration was not of Hindi-speaking people but of the Punjabi-speaking people. Therefore, those districts where Punjabi was spoken, are getting an additional increase in the number of Punjabi-speaking people. Therefore, there is no doubt about that matter. Some displaced persons have come over to the Hindi-speaking areas, but we are not talking of them, because they form about 5 per cent in certain areas, about 7 per cent in certain other areas and about 10 per cent in certain other areas. Nowhere in any district, which is Hindi-speaking are those displaced persons more than 10 or 12 per cent. Can it be argued that the State has become bilingual? and that everywhere people are mixed up?

This formula does not proceed on the supposition that every Hindu is a Hindi-speaking person and that every Sikh is a Punjabi-speaking man. But that is the misconception that Shri Chatterjee harbours and he wants to perpetuate that for all time to come. Now, he says that Gurmukhi should not be imposed on the Hindi-speaking people. But Pandit Thakur Das Bhargava also says—I have got every regard for him—why he should be asked to read Punjabi. I never said that he should read Punjabi. I have never asked the Hariana people to go in for the Punjabi language. If it is their desire, they might do it or not. But then, could any Bengali say that Bengali is being imposed on him?

Pandit Thakur Das Bhargava: When did I say that I am opposed to Punjabi-speaking people? I am not opposed to Punjabi-speaking people at all.

Sardar Hukam Singh: Pandit Thakur Das Bhargava must be reminded of his old speeches in 1946 in the Constituent Assembly.

Mr. Speaker: If he has changed now, what is the objection of the hon. Member?

Sardar Hukam Singh: I have absolutely no objection. He said that Punjabi was being forced on them. We have not done like that.

Pandit Thakur Das Bhargava: Circumstances were different then in 1948.

Mr. Speaker: All that has disappeared. Now, he is agreeable.

Sardar Hukam Singh: Shri N. C. Chatterjee has argued that this formula is unconstitutional an undemocratic and it sets aside all principles of democracy; he said that it throws over-board the principle of joint responsibility. I wonder how he has argued all this. If we look to the subjects that have been enumerated

in the formula, we will see that they are subjects relating to economic development, education and health. There is nothing besides these subjects.

Now, Pandit Thakur Das Bhargava has brought forward a lengthly amendment—amendment No. 203. I entirely agree with it, because the basis is correct. This is the symptom of the disease from which Hariana has been suffering. It has not been treated very well. But one thing is regrettable. I support him when he says that those people have been suffering. But he leaves me when I tell that I have also suffered. He would desert me; he would not support me. I say I am suffering from the same disease; I am a victim of the same disease. But, when I cry, he says that it is communal, waste of time and so on. I am glad that he has come round to this proposition. If I had put forward this sometime ago, I would have been dubbed communal and creating fissiparous tendencies. If I say that I have not been treated fairly in services, he says that I want to divide India and create fissiparous tendencies. I am glad that all these Congressmen have come up with this proposition for equitable distribution of services and of funds.

I want to tell my friend Shri Bhargava that Hariana is getting something more than these development boards that he wants, if he looks into that formula. Mr. Chatterjee has argued that if the regional committee passes a resolution, their advice would be binding on the legislature and even if the whole legislature say that they do not agree to it, they will have to submit to it. I cannot understand this. There would be 93 Members in the Punjabi zone and 60 Members in the Hariana zone. Any subject is taken up, discussed and decided by a majority in the regional committees. If that is the case, how can it turn to some other course when the whole Assembly sits? In the regional committees the 93 Members and the 60 Members will be sitting separately and in the Assembly they will be sitting together. After all, the Assembly does not come from the heavens. It consists of the 93 Members and the 60 Members who have already taken a decision in the regional committees by a majority.

Pandit Thakur Das Bhargava: They are not opposed to it.

Sardar Hukam Singh: They can never come into conflict. So far as the distribution of funds, finances etc. are concerned, they have to decide these matters jointly; it would be for the legislature as a whole to take decisions. Mr. Chatterjee has taken up all these 12 subjects and made much of them. We have accepted in the larger interests of the country something which is much short of our demand. PEPSU, which had the majority of Sikhs as a single section, has been wiped out and thrown out of the map. We wanted a Punjabi-speaking State. When the whole of India has been divided on a linguistic basis, Punjab has been denied that. Even now in this formula Punjabi is not given a regional status as any other language has, because there is opposition to it. There are difficulties and I appreciate the difficulties of the Government when they cannot give us the status of an official language. I realise that the two sons of the same mother—the Hindus and the Sikhs—are fighting against each other and are opposed to each other. They deny their mother tongue. They come round and ask, "Why should this be imposed on us?" This is very cruel. This is the first instance in the whole history that speakers of the same language disown that for political purposes and then come round and pose as nationalists. If others own their language they are dubbed as Communalists, because they say that their mother tongue should be the official language.

I once gave that example. We are two sons of the same mother—the Hindus and the Sikhs. If, on account of his own neglect or some misconception, he tries to kill the mother, is it not my duty that I should save the mother? If the mother is saved, both

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will be nourished; both will be benefited out of it. He is mistaken at that moment, but he will come round and find that it is to his good. What is it that Mr. Chatterjee wants? He wants them to have the option. What would be its result? If this is not made the official language, every home, every cottage in the border will be bilingual. This has given impetus to those people who want to say that their language, their mother tongue is not Punjabi and in every home in the border where two brothers are living, this will accentuate the differences. I am sure, and I put it before the Members of Parliament, that this is a passing phase. If this is made the official language, as it is proposed to do, then certainly after a short time, after the lapse of a small period, both will live together in harmony and will come round and consider themselves as real brothers and there will be no difficulty at all.

I have only to request Pandit Bhargava that he should not press his amendment for the setting up of a development council because those powers, all of them, would be covered under the regional formula that he is getting and Hariana will have much more power. I should say, they are the people who have gained most in this bargain. The difficulty is they have some grievances and my friends from Jullundur are snatching away the rights of the Hariana Hindus. Now when the Hariana will stand on their legs, there will be a conflict between the Hariana Hindus and Jullundur Hindus. Therefore, there is trouble. Otherwise, we have nothing to lose in this bargain. We will only get what we ought to get; nothing beyond that. We are not getting anything more. It is really a dispute between the Hariana Hindus and the Jullundur Hindus. Therefore, they have to settle this. Let them settle it even now. We will be satisfied. Let Mr. Bhargava give up the regional council and let Mr. Bansal say that he does not require it. This is really a quarrel between them.

The difficulty is that so far as I am concerned, Mr. Bhargava will never side with me though I always help him. When it is a good case and when he is suffering from a grievance, I will side him but he never sides with me. That is the difficulty. He goes in support of the case of Jullundur. I would be glad if this can be incorporated in some law or the Constitution. But I do not ask for it, though I could have asked for it. It is the agreement that is required and that is more important than the constitutional provision or anything of that sort. We can modify the Constitution according to our desire; but these desires cannot be modified according to the Constitution. If we sever from each other, if differences are there, certainly no constitutional safeguard will save us. Now we have agreed. Let us work it peacefully, harmoniously and constitutionally.

Shri U. M. Trivedi: I have a different grievance. All these gentlemen from the Select Committee had a chance to speak. You, Sir, and Mr. Bhargava were not there. But Mr. Chatterjee, Dr. Jaisoorya and other gentlemen who took part in the discussion were members of the Select Committee. I did not get a chance to speak.

Mr. Speaker: I will give you five minutes.

Shri U. M. Trivedi: When I have heard the speeches of Ch. Raghubir Singh, Pandit Bhargava and that of Sardar Hukam Singh I felt that there must be something radically wrong with our ways of thinking and their ways of thinking must be correct, and the way that Sardar Hukam Singh always puts his cases takes the wind out of anybody; he puts it so nicely that one forgets his own argument.

Pandit Thakur Das Bhargava has told us that he is standing for this, that he is standing for that, that Hariana is suffering and that is why he supports the regional formula. I do not think he is speaking from his heart.

Otherwise, he would have spoken for his amendment No. 36 in which he wants the omission of the word 'Punjab' from the operation of the regional formula. Therefore, he is not agreeable to the formula.

Pandit Thakur Das Bhargava: My hon. friend has not understood the meaning of the amendment. If he will look into the amendments, he will find that I am committed to the regional formula.

Shri U. M. Trivedi: Sometimes, it strikes me that this question of minorities is not merely a question of Punjab or Andhra or Telangana. It is a question of the whole country. The country at large, we find, has been clamouring for it. It is only at the last moment that we came to the decision that at least Gujerat should not be divided and they should stand together. Although they will be entirely different linguistically and the Gujeratis are in a minority, this regional formula is not clamoured for in Bombay. Why it has not been clamoured for? We have the Parsis in the minority. Hardly one lakh of people came to Bombay and settled down there. The Parsis have not suffered on account of the Hindus doing anything. The Parsis have risen high and established themselves. They are doing business and are great patriots of our country, because we allowed them to live as freely as possible. Why doubt each other and why be sceptical about the *bona fides* of the other? What Mahatmaji said at the Round Table Conference, I will read out. Here are his words, which are entirely applicable to what Ch. Ranbir Singh said just now. He said, we do not want anything, let the Assemblies go, we want money, we want money. The words are these:

> "I will not deprive Sir Hubert Carr and his associates of the feeling of satisfaction that evidently actuates them, but in my opinion what they have done is to sit by the carcass and they have performed the laudable feat of dissecting that carcass.
>
> As representing the predominant political organisation in India, I have no hesitation in saying to His Majesty's Government and to those friends who seek to represent the minorities mentioned against their names, and indeed to the whole world, that this scheme is not one designed to achieve responsible Government though undoubtedly it is designed to share power with the bureaucracy."

Here, I shall say, share power with the Government. That is the only object which has actuated certain members from the Punjab to thus bring about a communal award, in a different light, in a different manner before the country. It is a disgrace to us; it is a shame to us. We should be afraid of doing it at this stage of our Constitution when we have advanced so far. When article 371 was originally framed, it was framed with a desire to help only the Part B States in India. These Part B States have gone to the wind and all the Part B States have disappeared from our Constitution. Yet, here, we are trying to perpetuate certain things which we hate from the bottom of our heart. This communal spirit flows in our views. We cannot get rid of that obsession. We have to guard against this. Minorities may be of different types. Our Constitution has provided safeguards in articles 29, 30 and 355—whatever safeguards are necessary for the good government of our country. It is not necessary for us to impose the further safeguards which are now being imposed on us, by the backdoor, through this regional formula to which not a single Hindu was a party. The Congress claims to be a non-communal, the Congress claims to be secular, the congressmen claim to be followers of Mahatma Gandhi. The Congress ought not to have had any hand in these negotiations which ought to have been between the Hindus and Sikhs and independently of Hindus ought not to have come to the conclusions to

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which it has arrived at. I wish to register my very emphatic protest here on the floor of the House. I will ask this House to see that the regional formula does not form part of the Constitution of our country. The regional committees as they are envisaged and the special powers which are given and the subjects which are being transferred to them will always negative the progress of our country. Even looking at this from the constitutional point of view, even looking at it as a politician, I will urge upon my friends Pandit Thakur Das Bhargava and Sardar Hukam Singh to forget it. Even unwittingly, Sardar Hukum Singh had to say that the Sikhs were in a majority in the P.E.P.S.U. and Sikhs have been deprived of that majority. It is that feeling that has deprived his well placed arguments of their weight, that gives away the case and the cat is out of the bag. This is the same thing as what Ch. Ranbir Singh said. When he was speaking, he only harped on 'my Hariana', and he did not apply his mind and think: "I am an Indian, I am a Punjabi. Let my Punjab progress and let there not be dissensions among the various communities."

Pandit G. B. Pant: We are all pressed for time and I feel that it is not necessary for me to take much time of the House.

So far as this regional formula for the Punjab is concerned, it has been supported by every hon. Member belonging to the Punjab. I regard them as better representatives than any other Member coming from any other part of India so far the Punjab is concerned. I, I think, can reasonably presume that they faithfully reflect at least the majority opinion of the Punjab.

Shri N. C. Chatterjee: Question.

Pandit G. B. Pant: In the circumstances, I am sorry that I am not prepared to attach any undue weight to any criticisms that may have emanated from other quarters.

Shri Chatterjee would at one time have preferred sub-States in the Punjab. I do not know...

Shri N. C. Chatterjee: It is not correct. I have already corrected the Home Minister when he made such a suggestion in the Joint Committee. I never wanted sub-States. I said at a very nebulous stage of the discussions that he started with the Akali Party—it came to me of course in a very loose state—that I did not like those sub-States.

Pandit G. B. Pant: What did you say then? May I know what you said?

Shri N. C. Chatterjee: I remember it quite well.

Pandit G. B. Pant: That is why I am saying: would you let me know what you said if I do not remember it well? Well, I do remember it better I think. Sometimes, debtors have better memories than creditors, listeners have better memories than speakers. Such happens to be the case here too.

But for law and order, he would have been prepared to divide Punjab into two, giving to each the other subjects to be administered by itself. He was then perhaps in a generous mood, or perhaps he has been influenced by considerations which were not present when we had a talk between us previously. However, he is entitled to change his opinion. If I do not, he should not blame me for not being equally pliable and adjustable. My feeling is that the regional formula is and represents the best arrangement that can possibly be devised for the Punjab. It keeps the unity and the integrity of the Punjab intact. It would have put an end to any feeling of frustration that might have lingered in any quarter previously. It would have enabled every one to apply himself to constructive work with all earnestness, with faith and hope. In the circumstances, it would have led to the inauguration of a new era of progress in the Punjab.

Here, it is a matter of regret to me that many bogeys, many phantoms were conjured up when this formula was first published. People who were opposed to it belong more to the section of opinion which is represented here by Shri Chatterjee and Shri Trivedi. I will have to live for many years more—I do not know if such a span of life will be given to me—to be converted to the opinion that they are greater and better nationalists, greater democrats than Jawaharlalji or others, who are reputed as model democrats not only in this country but also outside. He knows rightly or wrongly the organisations to which he belongs and to which Shri U. M. Trivedi belongs have given an impression to most of the people in this country, and to everyone at least who is not a Hindu, that they are opposed to other interests.

Shri N. C. Chatterjee: Entirely wrong.

Shri U. M. Trivedi: By your propaganda.

Pandit G. B. Pant: If our propaganda succeeds, then your actions support them. Otherwise, no propaganda can by itself sway people and mislead them.

Shri N. C. Chatterjee: Question.

Pandit G. B. Pant: Well, if questions could in any way overturn the tables, then the world have stuck to questions and given no answers so far. But that has not been the case.

So far as this formula is concerned, it is my regret that because of the unfriendly attitude displayed by certain individuals, this formula had not been appreciated in the manner we had expected it would be. What is there in it? It gives only scope to every region to develop that region—there is nothing more than that and that too, subject to the control and supervision of the entire legislature.

Pandit Thakur Das Bhargava was speaking of linguistic minorities some time ago. He also spoke about the Punjabi and the Hindi languages just a few minutes back. I was really amazed to hear that he thinks he belongs to the minority language group in the Punjab. I wonder if he will accept that. If not, then it comes to this that the majority language group is so divided that special safeguards are needed, not on the ground of language, not on the ground of religion or creed, but on the ground of persons belonging to the same language, speaking the same language, following and observing the same religion, not being able to share the spoils, maybe, or the fruits, maybe, of the labour of others or their own equitably between themselves. That is more dismal than any story that has been unfolded in this House during the last four or five months.

We have heard of rivalries between States and States. We have heard of differences between communities and communities. But here, today, we are seeing the spectacle of persons belonging to the same religion, to the same State, speaking the same language, displaying such an amount of distrust in each other that they want weightage in representation in legislatures, they want weightage in services, and what not. I do not know where we are really intending to go to. Is there any limit to our negation, rejection and utter disregard of the elementary cannons of democracy? Nothing could have amazed one more than what has been said.

I know the iron has entered the soul of Shri Thakur Das. He has been hurt by the little progress that his part of the Punjab has made. Well, let us gird up our loins, let us apply ourselves to the task and see that we go forward with the determination to make up for the leeway, to cover up the gap and to show that we have mettle in us which can prove that if we so determine we can surpass and beat our neighbours. That I can appreciate. But this desire to have a weightage in legislatures in the States is something which is really, I will not use a strong expression, repugnant to the spirit of the age. We have thought

[Pandit G. B. Pant]

and we are thinking in terms of India, failing that of the States to which we belong. It is the duty of everyone who is in public life to see there is no disparity between different parts of the same State, that the backward tracts are brought up on to the level of the forward ones. That duty is cast on everyone. But let us not on that account sink low because then we will be dragging others down and we will not be able to lift our head high. That is not the way to achieve the purpose which we all have before us. I claim that this Regional formula is a benevolent one. It is not only acceptable for political reasons but it is to be valued all the more for the spirit of amity, goodwill, comradeship, neighbourliness and friendliness which is capable of generating and fostering. That is for which you have to labour. That is, after all, the keystone on which the structure of democracy rests. So, let us forget and forgive whatever may have happened so far. Let us apply our minds to the great undertaking in which we all are engaged today. The Five Year Plan should absorb all our energies. We should not waste a minute or an ounce of our energy. Let us then lift ourselves and let us try to lift others.

As to the language, I think Punjabi and Hindi are so very akin to each other that if there were no prejudices on either side, I could not at all anticipate any difficulty in the two brothers meeting each other and reaching a solution that would be completely satisfactory to each and both. There is no inherent difficulty. By itself it is a very easy proposition, but when you create a haze, a mist that no light can penetrate, then it is lost, for the time being, in darkness and you cannot grasp and reach it. But I still appeal to the Hindus and to the Sikhs of the Punjab. I remember that our Deputy-Speaker had made an appeal immediately after the publication of the Regional formula to all Punjabis to the effect that they should meet together and place their house in order. It is no credit, it is no matter of pride to any Punjabi, whether he be a Sikh or a Hindu, that they should not be able to settle their differences and to resolve their quarrels. Why should not they be able to do so? It is not a credit to any one. And the complaint that others in Delhi have to intervene again and again in matters pertaining to the Punjab, again, is not an index of a healthy public life in the Punjab. It must be possible for the people there to settle between themselves and to see that nobody has the temerity to interfere with their decisions and with their affairs. I should like them to stand on their legs and to do everything according to their liking.

We have been able to evolve a formula, and I am thankful to all those who co-operated with us. Let us now give a trial to this formula. Let us see how it works. I am certain that if there are any misgivings or doubts in any quarter, they will be completely dispelled once a practical trial is given to the propositions contained in that formula. It is a pity that there has been such a spirit of separatism abroad in the Punjab.

Shri N. C. Chatterjee was complaining that we had kept Himachal apart from the Punjab. Can he create enthusiasm in any one for joining the Punjab when the people living in the Punjab are showing such a spirit of intolerance if nothing worse? They are not able to live as brothers in one household. They say they will part. The parting words of today's speech of Pandit Thakur Das Bhargava were: "Well, if you do not satisfy our needs, our demands, our requirements, our aspirations, our wishes, then we will leave the Punjab or at least we will separate from the rest of the Punjab". Can you bring Himachal into Punjab like that? Is that the way to enlarge the frontiers of the Punjab, Punjab which occupies a strategic position in our country?

I am afraid I have taken up more time than I had intended. This formula has a special fascination for me, and whenever I happen to speak about it, I almost forget myself. I can only appeal once again to all my colleagues from the Punjab and also from other parts of the country to make up for the last time, to make up for the many weeks and months that have been wasted in bickerings, friction and a virtual tug-of-war. Let us all unite together and establish further that spirit which will enable all to help not only the Punjab but also the entire country.

Punjab is the foremost province in our country. We rely on it for the defence of our frontiers. It is not only in the interest of the Punjab but also of the entire country that Punjab should be strong, that Punjab should be united and that all living in the Punjab should be actuated by a spirit of tolerance, friendliness and a passion to live and work for everyone in the Punjab, for the uplift and progress of the Punjabis and for the protection and the advancement through the Punjab of the whole of India.

Mr. Speaker: I will now put amendment No. 211 to the vote of the House.

The question is:

Page 11—

(i) line 17, *for* "Maharashtra" *substitute* "Bombay";

(ii) *for* lines 19 and 20, *substitute*:

"(a) the establishment of separate development boards for Vidarbha, Marathwada, the rest of Maharashtra, Saurashtra, Kutch and the rest of Gujarat;"

(iii) line 25, *for* "these three divisions" *substitute* "the said areas"; and

(iv) lines 30 and 31, *for* "the three divisions" *substitute* "the said areas".

The motion was adopted.

6 P.M.

Mr. Speaker: The next amendment that I shall put to the House is amendment No. 203 of Pandit Thakur Das Bhargava. Is he pressing his amendment?

Pandit Thakur Das Bhargava: No. I beg leave to withdraw it.

The amendment was, by leave, withdrawn.

Mr. Speaker: Are there any other amendments?

Pandit Thakur Das Bhargava: Amendment 55 has to be put to the House.

Mr. Speaker: The question is:

Page 11, line 7—

for "made" *substitute*:

"in accordance with the provisions of the Second Schedule of the Constitution (Ninth Amendment) Act."

The motion was negatived.

Mr. Speaker: Are there any other amendments?

Shri N. C. Chatterjee: Nos. 114, 115 and 116.

Mr. Speaker: The question is:

Page 11, line 7—

for "President may, by order" *substitute* "Parliament may, by law".

The motion was negatived.

Mr. Speaker: The question is:

Page 11—

after line 14, *insert*:

"(1A) With respect to the State of Punjab provision may be made for the establishment of two or more separate Development Boards for the different regions and for the equitable allocation of funds for developmental expenditure over these regions, and also for an equitable arrangement providing adequate facilities for

[Mr. Speaker]

the development of Hindi and for technical and vocational education subject to the requirements of the State as a whole."

The motion was negatived.

Mr. Speaker: The question is:

Page 11, line 16—

for "President may by order" *substitute* "Parliament may by law".

The motion was negatived.

Mr. Speaker: I will now put all the other amendents to Clause 22 to the vote of the House.

The question is:

Page 11—

for lines 6 to 14, *substitutes*:

"371. (1) Notwithstanding anything in this Constitution, the Parliament may, by law, with respect to any State provide for the constitution and functions of regional committees for the protection and safeguard of the rights and special privileges of any linguistic minority and the tribal people and their well-being and may authorise the President to make such modifications in the rules of the business of the Government of the State and in the rules of procedure of the Legislative Assembly of the State and for any special responsibility of the Governor in order to secure the proper functioning of the regional committees".

The motion was negatived.

Mr. Speaker: The question is.

Page 11, line 8—

omit "or Punjab"

The motion was negatived.

Mr. Speaker: The question is:

Page 11, line 13—

for "Governor" *substitute* "Central Government"

The motion was negatived.

Mr. Speaker: The question is:

Page 11—

after line 14, *add*:

"Provided that for the more convenient transaction of the business of Punjab Government with regard to the regional committees, the Punjab State shall be divided into three regions, *viz;* the Punjabi-speaking (western), the Plains Hindi-speaking (southern) and the Himalayan Hindi-speaking (north-eastern) regions.

The demarcation of these regions will be done in consultation with the State Government and the wishes of the inhabitants of the areas concerned."

The motion was negatived.

Mr. Speaker: The question is:

Page 11—

after line 32, *add*:

"(3) Notwithstanding anything in this Constitution, the President may by order made with respect to the State of Punjab, provide for any special responsibility of the Government for—

(a) the establishment of a special development board for the Himalayan Hindi speaking (north-eastern) region of the State, with a provision that a report of the working of the board will be placed each year before the State Legislative Assembly;

(b) the special allocation of funds for the developmental expenditure over this region, by the Central Government over and above the equitable allocation of funds by the State Government, for a minimum period of ten years or for a longer period; and

(c) an equitable arrangement providing adequate facilities for technical education and vocational training and adequate opportunities for employment in services under the control of the State Government."

The motion was negatived.

Mr. Speaker: The question is:

That in the amendment proposed by Shri Hem Raj, printed as No. 83 in List No. 9 of amendments—

in the proposed clause (3), *for* "the Government" occurring for the first time, *substitute* "the Governor".

The motion was negatived.

Mr. Speaker: The question is:

Page 11—

after line 32, *add*:

"(3) Notwithstanding anything in this Constitution, the President may by order made with respect to the State of Uttar Pradesh, provide for any special responsibility of the Government for—

(a) the establishment of a Special Development Board for the five Himalayan districts of the State, *viz.* Dehradun, Tehri-Garhwal, Garhwal, Almora and Naini Tal, which may be grouped under common name 'Uttarakhand' with a provision that a report of the working of the Board will be placed each year before the State Legislative Assembly; and

(b) the special allocation of funds for the developmental expenditure for this region by the Central Government over and above the allocation of funds by the State Government."

The motion was negatived.

Mr. Speaker: The question is:

Page 11—

for lines 6 to 32, *substitute*:

"371. The Parliament may by law made with respect to the States of Andhra Pradesh, Punjab and Bombay provide for any special responsibility of the Governor for—

(a) the establishment of separate development boards for different regions with the provision that a report on the working of each of these boards will be placed each year before the State Legislative Assembly;

(b) the equitable allocation of funds for developmental expenditure over these regions subject to the requirements of the State as a whole; and

(c) an equitable arrangement providing adequate facilities for the technical education and vocational training and adequate opportunities for employment in services under the control of the State Government in respect of all regions subject to the requirement of the State as a whole."

The motion was negatived.

Mr. Speaker: The question is:

Page 11—

(i) line 6, *omit* "Notwithstanding anything in this Constitution"; and

(ii) line 15, *omit* "Notwithstanding anything in this Constitution".

The motion was negatived.

Mr. Speaker: The question is:

Page 11, lines 6 and 7—

for "the President may, by order" *substitute*:

"the Parliament may, by law."

The motion was negatived.

Mr. Speaker: There are no other amendments. Clause 22A is not pressed by Pandit Thakur Das Bhargava.

This group of clauses is over and now let us go to the last group consisting of the other clauses and the Schedule.

Clauses 23, 24, 26 to 29, the Schedule and clause 1

Mr. Speaker: The selected amendments to clauses 23, 24, the Schedule and clause 1 are as follows:

Clause 23—132 (Govt.), 179.

Clause 24—204, 205, 133 (Govt.), 42.

The Schedule—79, 134 (Govt.), 135 (Govt.), 184 (Govt.), 80, 136 (Govt.), 185 (Govt.).

[Mr. Speaker]

Second Schedule (New)—58, 81, 123, 124.

Clause 1—212 (Govt.), 125 (Govt.), 62, 38.

These have been indicated by Members to be moved, subject to their being otherwise admissible.

Clause 23.—(*Insertion of new article 372A*)

Pandit G. B. Pant: Sir, I beg to move:

Page 11, line 40—

for "October" *substitute* "November".

Shri Kamath: Sir, I beg to move:

Page 12,—

after line 6, *insert*—

'(1A) Every such order shall, before promulgation, be laid before both Houses of Parliament."

Clause 24.—(*Insertion of new article 378A*)

Shri C. R. Narasimhan: Sir, I beg to move:

(i) Page 12, lines 14 to 16—

for "existing at the date of commencement of the Constitution (Ninth Amendment) Act, 1956" *substitute*:

"as constituted under the provisions of sections 28 and 29 of the States Reorganisation Act, 1956."

(ii) Page 12, line 17—

for "five years and six months from that date" *substitute*:

"five years from the date referred to in the said section 29".

Pandit G. B. Pant: Sir, I beg to move:

Page 12, line 17—

for "six months" *substitute* "five months".

Shri C. R. Narasimhan: I beg to move:

Page 12—

after line 19, *add*:

"Provided that this shall not affect the provision in section 29 of the States Reorganisation Act, 1956 relating to the elections to fill the seats allotted to the assembly constituencies into which the transferred territory of the former State of Hyderabad is divided."

The Schedule

Shri Anandchand: I beg to move:

Page 14—

for lines 18 and 19, *substitute*:

'*Article* 3.—(a) For part (a), *substitute*—

"(a) form a new State by separation of territory from any State or by uniting two or more States or parts of States or by uniting any Union territory to any State or part of any State;"

(b) In the proviso, *omit* "specified in Part A or Part B of the First Schedule".'

Pandit G. B. Pant: I beg to move:

(i) Page 14—

after line 19, *insert*:

'*Article* 16.—In clause (3) *for* "under any State specified in the First Schedule or any local or other authority within its territory, any requirement as to residence within that State" *substitute*—

"under the Government of, or any local or other authority within, a State or Union territory, any requirement as to residence within that State or Union territory".'

(ii) Page 15—

after line 1, *insert*:

'*Article* 217.—In sub-clause (b) of clause (2), *omit* "in any State specified in the First Schedule".'

Shri Datar: I beg to move:

Page 16—

after line 11, *insert*:

'*Article* 304.—In clause (a), *after* "other States", *insert* "or the Union territories".'

Shri Anandchand: I beg to move:

Page 16—

after line 30, *insert*:

'*Article* 330.—In clause (2), *after* "State" wherever it occurs, *insert* "or Union territory".'

Pandit G. B. Pant: I beg to move:

Page 17—

after line 13, *insert*:

'*Article* 362.—*Omit* "clause (1) of".'

Shri Datar: I beg to move:

Page 18—

(i) line 2, *for* "Part VIII" *substitute* "article 240"; and

(ii) line 3, *for* "Union territory" *substitute* "Union territory specified in that article."

New Second Schedule

Pandit Thakur Das Bhargava: I beg to move:

(i) Page 18—

after line 31, *add*:

"AN OUTLINE OF THE SCHEME FOR REGIONAL COMMITTEES IN THE PUNJAB STATE

1. There shall be one legislature for the whole of the reorganised State of the Punjab, which will be the sole law-making body for the entire State, and there shall be one Governor for the State, aided and advised by a Council of Ministers responsible to the State Assembly for the entire field of administration.

2. For the more convenient transaction of the business of Government with regard to some specified matters, the State shall be divided into two regions, namely, the Punjabi-speaking and the Hindi-speaking regions.

3. For each region there shall be a Regional Committee of the State Assembly consisting of the members of the State Assembly belonging to each region including the Ministers from that region but not including the Chief Minister.

4. Legislation relating to specified matters shall be referred to the Regional Committees. In respect of specified matters proposals may also be made by the Regional Committees to the State Governments for legislation or with regard to questions of general policy not involving any financial commitments other than expenditure of routine and incidental character.

5. The advice tendered by the Regional Committees shall normally be accepted by the Government and the State Legislature. In case of difference of opinion, reference shall be made to the Governor whose decision will be final and binding.

6. The regional committees shall deal with the following matters:

(i) Development and economic planning, within the framework of the general development plans and policies formulated by the State Legislature;

(ii) Local Self-Government, that is to say, the constitutional powers of municipal corporations, improvement trusts, district boards and other local authorities for the purpose of local self-government or village administration including Panchayats;

(iii) Public Health and sanitation, Local hospitals and dispensaries;

(iv) Primary and secondary education;

(v) Agriculture;

(vi) Cottage and small-scale industries;

(vii) Preservation, protection and improvement of stock and

[Pandit Thakur Das Bhargava]

prevention of animal diseases, veterinary training and practice;

(viii) Pounds and prevention of cattle trespass;

(ix) Protection of wild animals and birds;

(x) Fisheries;

(xi) Inns and Inn-keepers.

(xii) Markets and fairs;

(xiii) Cooperative societies; and

(xiv) Charities and charitable institutions, charitable and religious endowments and religious institutions.

7. Provision shall be made under the appropriate Central statute to empower the President to constitute regional committees and to make provision in the rules of business of Government and the rules of procedure of the Legislative Assembly in order to give effect to the arrangements outlined in the preceding paragraphs. The provisions made in the rules of business and procedure for the proper functioning of regional committees shall not be altered without the approval of the President.

8. The demarcation of the Hindi and Punjabi regions in the Punjab State shall be done in consultation with the State Government and the other interests concerned.

9. The official language of each region shall, at the district level and below, be the respective regional language.

10. The State shall be bi-lingual recognising both Punjabi (in Gurmukhi script) and Hindi (in Devnagri script) as the official languages of the State.

11. The Punjab Government shall establish two separate departments for developing Punjabi and Hindi languages.

12. The general safeguards proposed for linguistic minorities will be applicable to the State of Punjab like other States.

13. *Special safeguards for the Hindi speaking Region.*—(1) It shall be the special responsibility of the Punjab State to develop the Hindi speaking region and bring it in line with the Punjabi-speaking region within a period of five years in all matters of social, political and economic progress by giving weightage in employment in public services and representation in legislature and local bodies, provision for increased allotment of water and power, allocation of sufficient amount of funds for establishment of cottage and other industries, special grants for increased communication facilities and full opportunities for spreading education of all kinds including technical and vocational training.

(2) For the efficient discharge of the special responsibility mentioned in the preceding sub-paragraph and generally providing for the social and economic needs of the Hindi speaking region a special Board consisting of one member of the Planning Commission appointed by the Central Government as its President, the Chief Minister of the State, one Minister from the Hindi speaking region, and if he is not the Development Minister of the State, the Development Minister of the State, shall be constituted. It shall be the duty of the Board to arrange for necessary funds, ways and means and to suggest schemes, measures and programmes of work and to look to the speedy implementation of the same.

(3) The Governor of the Punjab State shall report to the President after every two years about the progress and implementation of the general and special safeguards provided in this Act for the Hindi speaking region and the President shall, by such directions as he considers proper, secure the due fulfilment of the general and special safeguards mentioned in the Constitution or the Act or any other law.

14. (1) Two separate Development Boards one each for the Hindi and Punjabi speaking region shall be

established and the report of the working of each of these Boards shall be placed each year before the Legislative Assembly of the State.

(2) Apart from special allocation of funds for purposes of special development for the Hindi speaking region, equitable allocation of funds for development expenditure for these two regions for every year shall also be made separately."

(ii) That in the amendment proposed by me printed as No. 58 in List No. 6 of amendments—

in the proposed paragraph No. 5

for "the Governor" *substitute*—

"the Central Government".

Shri Bahadur Singh (Ferozepur-Ludhiana—Reserved—Sch. Castes): I beg to move:

(i) That in the amendment proposed by Pandit Thakur Das Bhargava, printed as No. 58 in List No. 6 of amendments—

after paragraph No. 8, *insert*—

"8A. The Sachar formula will continue to operate in the area comprised in the existing Punjab State, and in the area now comprised in the Pepsu State. The existing arrangements will continue until they are replaced or altered by agreement later."

(ii) That in the amendment proposed by Pandit Thakur Das Bhargava, printed as No. 58 in List No. 6 of amendments:

after paragraph No. 12, *insert*:

"12A. In accordance with and in furtherance of its policy to promote the growth of all regional languages, the Central Government will encourage the development of the Punjabi language."

Clause 1— (*Short title and Commencement*).

Shri B. N. Datar: I beg to move:

Page 1, line 3—

for "Ninth" *substitute* "Seventh".

Pandit G. B. Pant: I beg to move:

Page 1, line 5,

for "October" *substitute* "November".

Shri R. D. Misra (Bulandshahr Distt.): My amendment No. 62 is the same as No. 125 moved by Pandit Pant.

Shri C. R. Narasimhan: I beg to move:

Page 1, *after* line 5, *add*:

"(3) The provisions of this Act shall have retrospective effect in so far as it may be required for the constitutional validity of any of the provisions of the States Reorganisation Act, 1956."

Mr. Speaker: These amendments are now before the House. Now, the discussion may proceed.

Shri Anandchand: My amendment 80 is about article 330. I had written to the hon. Minister in the Ministry of Home Affairs. I think there is a lacuna. Unless we make this amendment and insert Union Territories we could not make the reservations for the Scheduled Castes. I think this is an inadvertant omission. It is in the Schedule. I have said that article 330 may include Union territory also.

Mr. Speaker: I think the hon. Minister is accepting this.

Shri Datar: Yes.

Shri C. R. Narasimhan: My amendments are 204 and 205. The Government is likely to accept these amendments. I have suggested these amendments to avoid a conflict. As the Constitution Amendment Act comes into force later than the States Reorganisation Act, its provisions are bound to prevail over those of the States Reorganisation Act wherever they may be conflicting. As the draft stands now, the entire Hyderabad Legislature as it exists at the moment when the Constitution Amendment Act comes into force will continue for a period of 5½ years without any

[Shri C. R. Narasimhan]

election. The provision in section 31 of the States Reorganisation Act regarding the election of the members from Hyderabad may then become *ultra vires*. The proviso suggested is by way of abundant caution.

Shri Datar: Government's amendments are Nos. 134, 135 and 136. Amendment No. 80 is being accepted by Government. Amendment No. 159 of Shri Shree Narayan Das, with some slight change, is being accepted also. Then there are Government amendments Nos. 184 and 185.

So far as Shri Shree Narayan Das's amendment is concerned, Government is accepting it with a slight verbal variation, as follows:

Article 143.—In clause (2)—

(a) *omit* "clause (i) of"; and

(b) *for* "said clause" *substitute* "said proviso".

These are all the amendments.

Mr. Speaker: Let Shri Shree Narayan Das move his amendment.

Shri Shree Narayan Das: Sir, I beg to move:

Page 14—

after line 33, *insert*:

'*Article* 143.—In clause (2)—

(a) *omit* "clause (i) of"; and

(b) *for* "clause" occurring for the second time, *substitute* "proviso".'

Mr. Speaker: The question is:

Page 16—

after line 30, *insert*:

'*Article* 330.—In clause (2), *after* "State" wherever it occurs, *insert* "or Union territory".'

The motion was adopted.

Shri Datar: There is clause 24.

Mr. Speaker: We are getting through the amendments first.

Shri Datar: There are two amendments to clause 24, Nos. 204 and 205.

Mr. Speaker: I have noted every one of them. If any hon. Minister or Member feels that I have omitted anything, they can bring it to my notice.

I see that amendments Nos. 204 and 205 have been moved by Shri Narasimhan. I myself had a doubt whether there will be an election in Telangana or not. When I read the language here, it appeared as if even for Telangana there will not be an election in 1957. Is it so? The language is capable of that meaning.

Dr. Rama Rao (Kakinada): As it is, it is clear that there will be no election for Telangana and for the whole of Andhra Pradesh.

Mr. Speaker: The whole of Andhra Pradesh should include Telangana. For five years, there will be no election there. Is it so?

Shri Datar: The necessary provision has been made in the States Reorganisation Act.

Shri C. R. Narasimhan: My amendment safeguards the States Reorganisation Act against the Constitution.

Pandit G. B. Pant: It only says that after the formation of Andhra Pradesh, that State will continue as such for five years and six months.

Mr. Speaker: On the date on which Andhra Pradesh comes into being, the Telengana members today will become members of Andhra Pradesh Assembly. Therefore, they will continue for another five years without interruption, without any trouble, although they have already enjoyed a term of four years and nine months or eight months.

Shri Datar: That is the reason why a reference is being made to sections 28 and 29 of the States Reorganisation Act.

Mr. Speaker: If the hon. Minister is satisfied, I am satisfied.

Shri K. K. Basu: This forms part of the Constitution. Whatever might be contained in the States Reorganisation Act, the election in Andhra Pradesh will be conducted according to the provisions of article 378A. As you have rightly said, Sir, on 2nd November the Legislative Assembly of Andhra Pradesh includes the members of the existing Andhra State and also members of the Telengana part. On 1st November this comes into being. On 2nd November, what is the Assembly of Andhra Pradesh? It includes members of the Telengana part also. In the margin it is 'Andhra' but they have adopted the words 'Andhra Pradesh' in the body, which means the whole of Andhra Pradesh, that is including the present Andhra and the Telengana part. So there is bound to be confusion.

Shri C. R. Narasimhan: Not after accepting my amendments.

Mr. Speaker: The amendments of Mr. Narasimhan, Nos. 204 and 205, make it clear. By his amendment No. 204, for the words "existing at the date of commencement of the Constitution (Ninth Amendment) Act, 1956" he wants to substitute "as constituted under the provisions of section 28 and 29 of the States Reorganisation Act, 1956." Under these sections the Telengana members will become members of the Pradesh and then they will also undergo elections later on.

Shri Datar: The election is irrespective of Telengana. That is under the States Reorganisation Act. And then, what is done is the period is fixed, and that period is not from the appointed day but the date after the election is held. So, both should be read together.

Mr. Speaker: Therefore, those amendments, that is Nos. 204 and 205, referring to the States Reorganisation Act and to sections 28 and 29 thereof make it clear. Very well. I shall now put these two amendments (204 and 205) to clause 24 to vote.

The question is:

Page 12, lines 14 to 16—

for "existing at the date of commencement of the Constitution (Ninth Amendment) Act, 1956" *substitute*:

"as constituted under the provisions of sections 28 and 29 of the States Reorganisation Act, 1956".

The motion was adopted.

Mr. Speaker: The question is:

Page 12, line 17—

for "five years and six months from that date" *substitute*:

"five years from the date referred to in the said section 29".

The motion was adopted.

Mr. Speaker: In view of the adoption of amendment No. 205 it is not necessary to put amendment No. 133 to the vote.

Now I shall put Government amendment No. 132 to clause 23.

The question is:

Page 11, line 40—

for "October" *substitute* "November".

The motion was adopted.

Mr. Speaker: I shall now put Government Amendments 134, 135 and 136 to the Schedule to vote. The first is No. 134.

The question is:

Page 14—

after line 19, *insert*:

'*Article* 16.—In clause (3) *for* "under any State specified in the First Schedule or any local or other authority within its territory, any requirement as to residence within that State" *substitute*:

"under the Government of, or any local or other authority within, a State or Union territory, any requirement as to residence within that State or Union territory".'

The motion was adopted.

Mr. Speaker: Now I shall put amendments Nos. 135 and 136.

The question is:

Page 15—

after line 1, *insert*:

'*Article* 217.—In sub-clause (b) of clause (2), *omit* "in any State specified in the First Schedule".'

The motion was adopted.

Mr. Speaker: The question is:

Page 17—

after line 13, *insert*:

'*Article* 362.—*Omit* "clause (1) of".'

The motion was adopted.

Mr. Speaker: The next is Shri Shree Narayan Das's amendment, No. 159. The hon. Minister has an amendment to that. What is his amendment?

Shri Datar: Amendment No. 159 by Shri Shree Narayan Das may be accepted subject to this slight change.

I beg to move:

In amendment No. 159 by Shri Shree Narayan Das, *for* part (b) *substitute*:

'(b) *for* "said clause" *substitute* "said proviso".'

Mr. Speaker: I shall put to the vote of the House amendment of Shri Datar to the amendment No. 159 of Shri Shree Narayan Das.

The question is:

In amendment 159, by Shri Shree Narayan Das, *for* part (b) *substitute*:

'(b) *for* "said clause" *substitute* "said proviso".'

The motion was adopted.

Mr. Speaker: There are two other amendments—Nos. 184 and 185.

The question is:

Page 16—

after line 11, *insert*:

'*Article* 304.—In clause (a), *after* "other States", *insert* "or the Union territories".'

The motion was adopted.

Mr. Speaker: The question is:

Page 18—

(i) line 2, *for* "Part VIII" *substitute* "article 240"; and

(ii) line 3, *for* "Union territory" *substitute* "Union territory specified in that article".

The motion was adopted.

Mr. Speaker: I will now put the amendment of Shri Shree Narayan Das, as amended by Shri Datar's amendment, to the vote of the House. The question is:

Page 14—

after line 33, *insert*:

'*Article* 143.—In clause (2)—

(a) *omit* "clause (i) of"; and

(b) *for* "said clause", *substitute* "said proviso".'

The motion was adopted.

Mr. Speaker: Before we take up clause 1, the Enacting Formula and the Title, we may perhaps dispose of the other clauses. Shall I put them one by one or in one group?

Shri Kamath: Sir, I would like to raise a point of order. I do so with considerable reluctance but I am impelled by my anxiety—and I am sure you are more anxious than I am—to see that so far as the Constitution (Amendment) Bill is concerned the Rules of Procedure are strictly observed. I would invite your close attention to rule 126 read with rule 167; or, rather rule 167 read with rule 126. Rule 126(2) reads as follows:

> "The Speaker may, if he thinks fit, put as one question group of clauses to which no amendments have been moved."

Provided there are no amendments moved to them, it can be done.

Rule 167, which we have amended recently, may also be read. What did that empower you to do? That empowers you to put those clauses, to

[Shri Kamath]

which no amendments have been moved, together, as a group. When amendments are moved to a particular clause, I think the Rules of Procedure debar you, unfortunately, from putting those clauses as a group. And what applies to ordinary Bills, applies more strongly, *a fortiori*, to Bills amending the Constitution. Even the amended rule makes it impossible to put all the amended clauses together, as a group....

Mr. Speaker: I follow.

Pandit Thakur Das Bhargava: What is against adopting these?

Why cannot they be adopted together?

Shri Kamath: The rules stand in the way.

Mr. Speaker: Rule 126 relates generally to Bills and amendments. There is a special chapter, Chapter XII relating to Bills seeking to amend the Constitution. There, in rule 167 it is said:

> "Provided that the Speaker may, with the concurrence of the House, put clauses or schedules together to the vote of the House in which case the result of the voting shall be taken as applicable to each clause or schedule separately and so indicated in the proceedings."

The hon. Member knows that wherever there is a special provision it over-rules the general provision. It is also stated in rule 171:

> "In all other respects, the procedure laid down in these rules with respect to other Bills shall apply."

Shri Kamath: May I submit, Sir, again, in the special provision under rule 167 there is difference in the language, difference in the wording between the first part and the proviso. The first part, how does it read? It reads thus:

> "Each clause or schedule, or clause or schedule as amended.."

That we can understand. But the proviso refers to clauses or schedules only. It does not say "clauses or schedules as amended". That provision is not here. Therefore, where a clause is amended this provision cannot apply. The first part refers to clauses or schedules as amended but the proviso refers only to clauses or schedules and not clauses or schedules as amended. That is the difficulty that our rules pose before us.

Mr Speaker: I do not find "clauses or schedules as amended" in the proviso. There can be a doubt, but there is also, as the hon. Member knows, what is known as *Stare decisis;* that is, we have been adopting a particular course, interpreting a particular rule in a particular manner. That will continue. After all, these are rules of procedure and not substantive rules laid down creating rights or removing rights. Under those circumstances, on a prior occasion we put the clauses together and we shall put them together now also.

Shri Kamath: Two wrongs do not make a right.

Mr. Speaker: We very often make a right so far as procedure is concerned. Now, we have passed clause 25 yesterday along with clauses 11 to 16. Now I will put the rest to the vote of the House.

Shri Kamath: The clauses may be put together, and then the Schedule may be put. All the clauses and the Schedule cannot be grouped together and put.

Mr. Speaker: They can also be grouped together under the rules.

Shri Kamath: The rule says "Clauses or Schedules".

Mr. Speaker: But there are the words "Provided that the Speaker may put the clauses or Schedules together". In this context "or" means "and".

Shri Kamath: Then, I have no objection. I only pointed out the difficulty. The rules may be amended at the next sitting of the Rules Commitee.

Mr. Speaker: Before I put the question, I may, in case there are any amendments that have not been disposed of, put all of them to the vote.

The question is:

Page 12—

after line 6, *insert*:

"(1A) Every such order shall, before promulgation, be laid before both Houses of Parliament."

The motion was negatived.

Mr. Speaker: The question is:

Page 12—

after line 19, *add*:

"Provided that this shall not affect the provision in section 29 of the States Reorganisation Act, 1956 relating to the elections to fill the seats allotted to the assembly constituencies into which the transferred territory of the former State of Hyderabad is divided."

The motion was negatived.

Mr. Speaker: The question is:

Page 14—

for lines 18 and 19, *substitute*:

'*Article* 3.—(a) For part (a), *substitute*:,

"(a) form a new State by separation of territory from any State or by uniting two or more States or parts of States or by uniting any Union territory to any State or part of any State;"

(b) In the proviso, omit "specified in Part A or Part B of the First Schedule".'

The motion was negatived.

Mr. Speaker: The question is:

That in the amendment proposed by Pandit Thakur Das Bhargava printed as No. 58 in List No. 6 of amendments—

in the proposed paragraph No. 5 *for* "the Governor" *substitute*:

"the Central Government"

The motion was negatived.

Mr. Speaker: The question is:

That in the amendment proposed by Pandit Thakur Das Bhargava, printed as No. 58 in List No. 6 of amendments—

after paragraph No. 8, *insert*:

"8A. The Sachar formula will continue to operate in the area comprised in the existing Punjab State, and in the area now comprised in the Pepsu State. The existing arrangements will continue until they are replaced or altered by agreement later."

The motion was negatived.

Mr. Speaker: The question is:

That in the amendment proposed by Pandit Thakur Das Bhargava, printed as No. 58 in List No. 6 of amendments—

after paragraph No. 12, *insert*:

"12A. In accordance with and in furtherance of its policy to promote the growth of all regional languages, the Central Government will encourage the development of the Punjabi language."

The motion was negatived.

Mr. Speaker: The question is:

Page 18—

after line 31, *add*:—

"AN OUTLINE OF THE SCHEME FOR REGIONAL COMMITTEES IN THE PUNJAB STATE

1. There shall be one legislature for the whole of the reorganised State of the Punjab, which will be the sole law-making body for the entire State, and there shall be one Governor for the State, aided and advised by a Council of Ministers responsible to the State Assembly for the entire field of administration.

2. For the more convenient transaction of the business of Government with regard to some specified matters, the State shall be divided

[Mr. Speaker]

into two regions, namely, the Punjabi-speaking and the Hindi-speaking regions.

3. For each region there shall be a Regional Committee of the State Assembly consisting of the members of the State Assembly belonging to each region including the Ministers from that region but not including the Chief Minister.

4. Legislation relating to specified matters shall be referred to the Regional Committees. In respect of specified matters proposals may also be made by the Regional Committees to the State Governments for legislation or with regard to questions of general policy not involving any financial commitments other than expenditure of routine and incidental character.

5. The advice tendered by the Regional Committees shall normally be accepted by the Government and the State Legislature. In case of difference of opinion, reference shall be made to the Governor whose decision will be final and binding.

6. The regional committees shall deal with the following matters:

(i) Development and economic planning, within the framework of the general development plans and policies formulated by the State Legislature;

(ii) Local Self-Government, that is to say, the constitutional powers of municipal corporations, improvement trusts, district boards and other local authorities for the purposes of local self-government or village administration including Panchayats;

(iii) Public Health and sanitation; Local hospitals and dispensaries;

(iv) Primary and secondary education;

(v) Agriculture;

(vi) Cottage and small-scale industries;

(vii) Preservation, protection and improvement of stock and prevention of animal diseases; veterinary training and practice;

(viii) Pounds and prevention of cattle trespass;

(ix) Protection of wild animals and birds;

(x) Fisheries;

(xi) Inns and Inn-keepers;

(xii) Markets and fairs;

(xiii) Cooperative societies; and

(xiv) Charities and charitable institutions, charitable and religious endowments and religious institutions.

7. Provision shall be made under the appropriate Central statute to empower the President to constitute regional committees and to make provision in the rules of business of Government and the rules of procedure of the Legislative Assembly in order to give effect to the arrangements outlined in the preceding paragraphs. The provisions made in the rules of business and procedure for the proper functioning of regional committees shall not be altered without the approval of the President.

8. The demarcation of the Hindi and Punjabi regions in the Punjab State shall be done in consultation with the State Government and the other interests concerned.

9. The official language of each region shall, at the district level and below, be the respective regional language.

10. The State shall be bi-lingual recognising both Punjabi (in Gurmukhi script) and Hindi (in Devnagri script) as the official languages of the State.

11. The Punjab Government shall establish two separate departments for developing Punjabi and Hindi languages.

[Mr. Speaker]

12. The general safeguards proposed for linguistic minorities will be applicable to the State of Punjab like other States.

13. Special safeguards for the Hindi speaking region.—(1) It shall be the special responsibility of the Punjab State to develop the Hindi-speaking region and bring it in line with the Punjabi-speaking region within a period of five years in all matters of social, political and economic progress by giving weightage in employment in public services and representation in legislature and local bodies, provision for increased allotment of water and power, allocation of sufficient amount of funds for establishment of cottage and other industries, special grants for increased communication facilities and full oppportunities for spreading education of all kinds including technical and vocational training.

(2) For the efficient discharge of the special responsibility mentioned in the preceding sub-paragraph and generally providing for the social and economic needs of the Hindi-speaking region a special Board consisting of one member of the Planning Commission appointed by the Central Government as its President, the Chief Minister of the State, one Minister from the Hindi-speaking region, and if he is not the Development Minister of the State, the Development Minister of the State, shall be constituted. It shall be the duty of the Board to arrange for necessary funds, ways and means and to suggest schemes, measures and programmes of work and to look to the speedy implementation of the same.

(3) The Governor of the Punjab State shall report to the President after every two years about the progress and implementation of the general and special safeguards provided in this Act for the Hindi-speaking region and the President shall, by such directions as he considers proper, secure the due fulfilment of the general and special safeguards mentioned in the Constitution or the Act or any other law.

14. (1) Two separate Development Boards one each for the Hindi and Punjabi speaking region shall be established and the report of the working of each of these Boards shall be placed each year before the Legislative Assembly of the State.

(2) Apart from Special allocation of funds for purposes of special development for the Hindi-speaking region, equitable allocation of funds for development expenditure for these two regions for every year shall also be made separately."

The motion was negatived.

Mr. Speaker: Now, the question is:

"That clause 17 as amended; clause 18; clause 19 as amended; clause 20; clauses 21, 22 and 23 as amended; clauses 26, 27, 28 and 29; and the Schedule as amended, stand part of the Bill.

The Lok Sabha divided: Ayes: 324- Noes: Nil.*

AYES

[Division No. 10.] [6.26 p.m.

Abdullabhai, Mulla	Akarpuri, Sardar	Azad, Shri Bhagwat Jha
Abdus Sattar, Shri	Altekar, Shri	Babunath Singh, Shri
Achal Singh, Seth	Amrit Kaur, Rajkumari	Badan Singh, Ch.
Achint Ram, Lala	Anandchand, Shri	Balkrishnan, Shri
Achuthan, Shri	Ansari, Dr.	Balasubramaniam, Shri
Agarawal, Shri H. L.	Anthony, Shri Frank	Baldev Singh, Sardar
Agrawal, Shri M. L.	Asthana, Shri	Balmiki, Shri
Ajit Singh, Shri	Azad, Maulana	Banerjee, Shri

*The result of this division is applicable to each of the clauses 17, as amended; caluse 18; clause 19, as amended; clause 20; clauses 21, 22 and 23, as amended; clauses 26, 27, 28 and 29; and the Schedule, as amended, separately.

Bansilal, Shri
Barman, Shri
Barrow, Shri
Barupal, Shri P. L.
Basappa, Shri
Basu Shri K. K.
Bhagat, Shri B. R.
Bhakt Darshan, Shri
Bharati, Shri G. S.
Bhargava, Pandit Thakur Das
Bhatkar, Shri
Bhatt, Shri C.
Bhawanji, Shri
Bheekha Bhai, Shri
Bhonsle, Shri J. K.
Bidari, Shri
Birbal Singh, Shri
Bogawat, Shri
Borkar Shrimati Anusayabai
Bose, Shri P. C.
Brajeshwar Prasad, Shri
Brohmo-Choudhury, Shri
Chaliha, Shri Bimalaprosad
Chandak, Shri
Chandrasekhar, Shrimati
Charak, Th. Lakshman Singh
Chatterjea, Shri Tushar
Chatterjee, Dr. Susilranjan
Chaturvedi, Shri
Chaudhary, Shri G. L.
Chavda, Shri
Chettiar, Shri Nagappa
Dabhi, Shri
Damodaran, Shri Nettur P.
Das, Dr. M. M
Das, Shri K. K.
Das, Shri N. T.
Das, Shri Ram Dhani
Das, Shri Ramananda
Das, Shri Shree Narayan
Datar, Shri
Deb, Shri S. C.
Desai, Shri K. N.
Desai, Shri Khandubhai
Deshmukh, Dr. P. S.
Deshmukh, Shri K. G.
Deshpande, Shri G. H.
Dholakia, Shri
Dhulekar, Shri
Dhusiya, Shri
Digambar Singh, Shri
Diwan, Shri R. S.
Dube, Shri Mulchand
Dube, Shri U. S.
Dubey, Shri R. G.
Dutt, Shri A. K.
Dwivedi, Shri D. P.
Dwivedi, Shri M. L.
Eacharan, Shri I.
Ebenezer, Dr.
Elayaperumal, Shri
Fotedar, Pandit
Gadgil, Shri
Gam Malludora, Shri
Gandhi, Shri Feroze
Gandhi, Shri V. B.
Ganga Devi, Shrimati
Ganpati Ram, Shri
Gautam, Shri C. D.
Ghose, Shri S. M.
Giri, Shri V. V
Gohain, Shri
Gopi Ram, Shri
Gounder, Shri K. P.
Gounder, Shri K. S.
Govind Das, Seth
Guha, Shri A. C.
Gurupadaswamy, Shri M. S.
Hari Mohan, Dr.
Hasda, Shri Subodh
Hazarika, Shri J. N.
Heda, Shri
Hembrom, Shri
Hem Raj, Shri
Hukam Singh, Sardar
Hyder Husein, Ch
Ibrahim, Shri
Iqbal Singh, Sardar
Iyyunni, Shri C. R.
Jain, Shri A. P.
Jain, Shri N. S.
Jaisoorya, Dr.
Jajware, Shri
Jangde, Shri
Jatav-vir, Dr.
Jena, Shri K. C.
Jena, Shri Niranjan
Jhunjhunwala, Shri
Jogendra Singh, Sardar
Joshi, Shri A. C.
Joshi, Shri Jethalal
Joshi, Shri Krishnacharya
Joshi, Shri Liladhar
Joshi Shri M. D.
Joshi, Shri N. L.
Joshi, Shimati Subhadra
Jwala Prashad, Shri
Kajrolkar, Shri
Kale, Shrimati A.
Kamble, Dr.
Kanungo, Shri
Karmarkar, Shri
Kasliwal, Shri
Katham, Shri
Katju, Shri
Kayal, Shri P. N.
Kazmi, Shri
Keshavaiengar, Shri
Keskar, Dr.
Khan, Shri Sadath Ali
Khedkar, Shri G. B.
Khongmen, Shrimati
Kirolikar, Shri
Kottukappally, Shri
Krishna Chandra, Shri
Krishnamachari, Shri T. T.
Kureel, Shri B. N.
Lakshmayya, Shri
Lal Singh, Sardar
Laskar, Shri
Lotan Ram, Shri
Madiah Gowda, Shri
Mahodaya, Shri
Majithia, Sardar
Malaviya, Shri K. D.
Malvia, Shri B. N.
Malviya, Pandit C. N
Malviya, Shri Motilal
Mandal, Dr. P.
Masuriya Din, Shri
Mathew, Shri
Matthen, Shri
Mavalankar, Shrimati Sushila
Mehta, Shri B. G.
Mehta Shri Balwant Sinha
Menon, Shri Damodara
Minimsta, Shrimati
Mishra, Shri Bibhuti
Mishra, Shri L. N.
Mishra, Shri Lokenath
Mishra, Shri M. P.
Mishra, Shri S. N.
Misra, Shri R. D.
Misra, Shri S. P.
Mohiuddin Shri,
Moitra, Shri M. K.
Morarka, Shri
More, Shri K. L.
Mudaliar, Shri C. R.
Mukerjee, Shri H. N.
Mukne, Shri Y. M.
Murthy, Shri B. S.
Musafir, Giani G. S.
Mushar, Shri
Muthukrishnan, Shri
Naidu, Shri N. R.
Nair, Shri C. K.
Nanda, Shri
Narasimham, Shri C. R.
Naskar, Shri P. S.
Nathwani, Shri N. P.
Nehru, Shri Jawaharlal
Nehru, Shrimati Shivrajvati
Nehru, Shrimati Uma
Nijalingappa, Shri
Pande, Shri B. D.
Pannalal, Shri
Parekh, Dr. J. N.
Parikh, Shri S. G.
Parmar, Shri R. B.
Pataskar, Shri
Patel, Shri B. K.
Patel, Shri Rajeshwar
Patel, Shrimati Maniben
Patil, Shri Kanavade
Patil, Shri Shankargauda
Pillai, Shri Thanu
Prabhakar, Shri Naval
Rachiah, Shri N.

Radha Raman, Shri
Raghubir Sahai, Shri
Raghubir Singh, Ch.
Raghunath Singh, Shri
Raghuramaiah, Shri
Raj Bahadur, Shri
Rajabhoj, Shri P.N.
Ramachander, Dr. D.
Ramanand Shastri, Swami
Ramananda Tirtha, Swami
Ramaseshaiah, Shri
Ramaswamy, Shri S. V.
Ram Dass, Shri
Ram Krishan, Shri
Ram Saran, Shri
Ram Shankar Lal, Shri
Ram Subhag Singh, Dr.
Ranbir Singh, Ch.
Randaman Singh, Shri
Rane, Shri
Ranjit Singh, Shri
Rao, Dr. Rama
Rao, Shri P. Subba
Rao, Shri Seshagiri
Rao, Shri T. B. Vittal
Raut, Shri Bhola
Ray, Shri B. K.
Reddy, Shri B. Y.
Reddy, Shri Viswanatha
Rishang Keishing, Shri
Roy, Shri Bishwa Nath
Rup Narain, Shri
Sahaya, Shri Syamnandan
Sahu, Shri Rameshwar
Saigal, Sardar A. S.
Saksena, Shri Mohanlal
Samanta, Shri S. C.
Sanganna, Shri
Sankarapandian, Shri
Sarma, Shri D. N.
Sarmah, Shri Debeswar
Satish Chandra, Shri
Sen, Shri P. G.
Sen, Shrimati Sushama
Sewal, Shri A. R.
Shah, Shri C. C.
Shah, Shri Raichandbhai
Shah, Shrimati Kamlendu Mati
Shahnawaz Khan, Shri
Sharma, Pandit K. C.
Sharma, Shri D. C.
Sharma, Shri R. C.
Shastri, Shri Algu Rai
Shivananjappa, Shri
Shobha Ram, Shri
Shriman Narayan, Shri
Shukla, Pandit B.
Siddananjappa, Shri
Singh, Shri D. N.
Singh, Shri D. P.
Singh, Shri H. P.
Singh, Shri L. Jogeswar
Singh, Shri M. N.
Singh, Shri T. N.
Singhal, Shri S. C.
Sinha, Dr. S. N.
Sinha, Shri A. P.
Sinha, Shri Anirudha
Sinha, Shri B. P.
Sinha, Shri G. P.
Sinha, Shri Jhulan
Sinha, Shri K. P.
Sinha, Shri Nageshwar Prasad
Sinha, Shri S.
Sinha, Shri Satya Narain
Sinha, Shri Satyendra Narayan
Sinha, Shrimati Tarkeshwari
Sinhasan Singh, Shri
Siva, Dr. Gangadhara
Snatak, Shri
Sodhia, Shri K. C.
Subrahmanyam, Shri T.
Subramania Chettiar, Shri
Sunder Lal, Shri
Suresh Chandra, Dr.
Suriya Prashad, Shri
Swaminadhan, Shrimati Ammu
Syed Mahmud, Dr.
Tandon, Shri
Telkikar, Shri
Tewari, Sardar R.B.S.
Thimmaiah, Shri
Thomas, Shri A. M.
Tivary, Shri V. N.
Tiwari, Pandit B. L.
Tiwari, Shri R. S.
Tiwary, Pandit D. N.
Tripathi, Shri V. D.
Tyagi, Shri
Uikey, Shri
Upadhyaya, Shri Shiva Dat
Varma, Shri B. B.
Venkataraman, Shri
Verma, Shri B. R.
Verma, Shri
Vidyalankar, Shri A.N.
Vyas, Shri Radhelal
Waghmare, Shri
Wilson, Shri J. N.
Wodeyar, Shri
Zaidi, Col.

NOES

NIL

The motion was adopted.

Mr. Speaker: The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

Clause 17, as amended; clause 18; clause 19, as amended; clause 20; clauses 21, 22 and 23, as amended; clauses 26, 27, 28 and 29; and the Schedule, as amended, were added to the Bill.

Mr. Speaker: The question is:

"That clause 24, as amended, stand part of the Bill".

The Lok Sabha divided: Ayes: 311; Noes: 16.

AYES

Division No. 14. [6.42 P.M.

Abdullabhai, Mulla
Abdus Sattar, Shri
Achal Singh, Seth
Achint Ram, Lala
Achuthan, Shri
Agarwal, Shri H. L.
Agrawal, Sh. M. L.
Ajit Singh, Shri
Akarpuri, Sardar
Altekar, Shri
Amrit Kaur, Rajkumari
Anandchand, Shri
Ansari, Dr.
Anthony, Shri Frank
Asthana, Shri
Azad, Shri Bhagwat Jha
Babunath Singh, Shri
Badan Singh, Ch.
Balkrishnan, Shri
Balasubramaniam, Shr
Baldev Singh, Sardar
Balmiki, Shri
Banerjee, Shri
Basilal, Shri

Barman, Shri
Barrow, Shri
Barupal, Shri P. L.
Basappa, Shri
Bhagat, Shri B. R.
Bhakt Darshan, Shri
Bharati, Shri G. S.
Bhargava, Pandit Thakur Das
Bhatkar, Shri
Bhatt, Shri C.
Bhawanji, Shri
Bheekha Bhai, Shri
Bhonsle, Shri J. K.
Bidari, Shri
Birbal Singh, Shri
Bogawat, Shri
Borkar, Shrimati Anusayabai
Bose, Shri P. C.
Brajeshwar Prasad, Shri
Brohmo-Choudhury, Shri
Chaliha, Shri Bimalaprosad
Chandak, Shri
Chandrasekhar, Shrimati
Charak, Th. Lakshman Singh
Chatterjee, Dr. Susilranjan
Chaturvedi, Shri
Chaudhary, Shri G. L.
Chavda, Shri
Chettiar, Shri Nagappa
Dabhi, Shri
Damodaran, Shri Nettur P.
Das, Dr. M. M.
Das, Shri K. K.
Das, Shri N. T.
Das, Shri Ram Dhani
Das, Shri Ramananda
Das, Shri Shree Narayan
Datar, Shri
Deb, Shri S. C.
Desai, Shri K. N.
Desai, Shri Khandubhai
Deshmukh, Dr. P. S.
Deshmukh, Shri K. G.
Deshpande, Shri G. H.
Dholakia, Shri
Dhulekar, Shri
Dhusiya, Shri
Digambar Singh, Shri
Diwan, Shri R. S.
Dube, Shri Mulchand
Dube, Shri U. S.
Dubey, Shri R. G.
Dutt, Shri A. K.
Dwivedi, Shri D. P.
Dwivedi, Shri M. L.
Eacharan, Shri I.
Ebenezer, Dr.
Elayaperumal, Shri
Fotedar, Pandit
Gadgil, Shri
Gam Malludora, Shri
Gandhi, Shri Feroze
Gandhi, Shri V. B.
Ganga Devi, Shrimati
Ganpati Ram, Shri
Gautam, Shri C. D.
Ghose, Shri S. M.
Giri, Shri V. V.
Gohain, Shri
Gopi Ram, Shri
Gounder, Shri K. P.
Gounder, Shri K. S.
Govind Dass, Seth
Guha Shri A. C.
Hari Mohan, Dr.
Hasda, Shri Subodh
Hazarika, Shri J. N.
Heda, Shri
Hembrom, Shri
Hem Raj, Shri
Hukam Singh, Sardar
Hyder Husein, Ch.
Ibrahim, Shri
Iqbal Singh, Sardar
Iyyunni, Shri C. R.
Jain, Shri A. P.
Jain, Shri N. S.
Jajware, Shri
Jangde, Shri
Jatav-vir, Dr.
Jena, Shri K. C.
Jena, Shri Niranjan
Jhunjhunwala, Shri
Jogendra Singh, Sardar
Joshi, Shri A. C.
Joshi, Shri Jethalal
Joshi, Shri Krishnachatya
Joshi, Shri Liladhar
Joshi, Shri M. D.
Joshi, Shri N. L.
Joshi, Shrimati Subhadra
Jwala Prashad, Shr
Kajrolkar, Shri
Kale, Shrimati A.
Kamble, Dr.
Kanungo, Shri
Karmarkar, Shri
Kasliwal, Shri
Katham, Shri
Katju, Dr.
Kayal, Shri P. N.
Kazmi, Shri
Keshavaiengar, Shri
Keskar, Dr.
Khan, Shri Sadath Al
Khedkar, Shri G. B
Khongmen, Shrimati
Kirolikar, Shri
Kottukappally, Shri
Krishna Chandra, Shri
Krishnamachari, Shri T.
Kureel, Shri B. N.
Lakshmayya, Shri
Lal Singh, Sardar
Laskar, Shri
Lotan Ram, Shri
Madiah Gowda, Shri
Mahodaya, Shri
Majithia, Sardar
Malaviya, Shri K. D.
Malvia, Shri B. N.
Malviya, Pandit C. N.
Malviya, Shri Motilal
Mandal, Dr. P.
Masuriya Din, Shri
Mathew, Shri
Matthen, Shri
Mavalankar, Shrimati Sushila
Mehta, Shri B. G.
Mehta, Shri Balwant Sinha
Menon, Shri Damodara
Minimata, Shrimati
Mishra, Shri Bibhuti
Mishra, Shri L. N.
Mishra, Shri Lokenath
Mishra, Shri M. P.
Mishra, Shri S. N.
Misra, Shri R. D.
Misra, Shri S. P.
Mohiuddin, Shri
Morarka, Shri
More, Shri K. L.
Mudaliar, Shri C. R.
Mukne, Shri Y. M.
Murthy, Shri B. S.
Musafir, Giani G. S.
Muthukrishnan, Shri
Naidu, Shri N. R.
Nair, Shri C. K.
Nanda, Shri
Narasimhan, Shri C. R.
Naskar, Shri P. S.
Nathwani, Shri N. P.
Nehru, Shri Jawaharlal
Nehru, Shrimati Shivrajvati
Nehru, Shrimati Uma
Nijalingappa, Shri
Pande, Shri B. D.
Pannalal, Shri
Parekh, Dr. J. N.
Parikh, Shri S. G.
Parmar, Shri R. B.
Pataskar, Shri
Patel, Shri B. K.
Patel, Shri Rajeshwar
Patel, Shrimati Maniben
Patil, Shri Kanavade
Patil, Shri Shankargauda
Pillai, Shri Thanu
Prabhakar, Shri Naval
Rachiah, Shri N.
Radha Raman, Shri
Raghubir Sahai, Shri
Raghubir Singh, Ch.
Raghunath Singh, Shri
Raghuramaiah, Shri
Raj Bahadur, Shri
Rajabhoj, Shri P. N.

Ramachander, Dr. D.
amanand Shastri, Swami
Ramananda Tirtha, Swami
Ramaseshaiah, Shri
Ramaswamy, Shri S.V.
Ram Dass, Shri
Ram Krishna, Shri
Ram Saran, Shri
Ram Shankar Lal, Shri
Ram Subhag Singh, Dr.
Ranbir Singh, Ch.
Randaman Singh, Shri
Rane, Shri
Ranjit Singh, hri
Rao, Shri P. Subba,
Rao, Shri Seshagiri
Raut, Shri Bhola
Rey, Shri B.K.
Reddy, Shri Viswanatha
Roy, Shri Bishwa Nath
Rup Narain, Shri
Sahaya, Shri Syamnandan
Sahu, Shri Rameshwar
Saigal, Sardar A.S.
Saksena, hri Mohanlal
Samanta, Shri S.C.
Sanganna, hri
Sankaranandan, Shri
Sarma, hri Debendra Nath
Sarmah, Shri Deberwar
Satish Chandra, Shri
Sen, hri P.G.
Sri, Srimati Sushama
Sewal, Shri A.R.
Shah, Shri C.C.
Shah, Shri Raichandbhai
Shah, Shrimati Kamlendu Mati
Shahnawaz Khan, Shri
Sharma, Pandit K.C.
Sharma, Shri D.C.
Sharma, Shri R.C.
Shastri, Shri Algu Rai
Shivananjappa, Shri
Shobha Ram, Shri
Shriman Narayan, Shri
Shukla, Pandit B.
Siddananjappa, Shri
Singh, Shri D.N.
Singh, Shri D.P.
Singh, Shri H.P.
Singh, Shri L. Jogeswar
Singh, Shri M.N.
Singh Shri T.N.
Singhal, Shri S.C.
Sinha, Dr. S.N.
Sinha, Shri A.P.
Sinha, Shri Aniruddha
inha, Shri B.P.
Sinha, Shri G.P.
Sinha, Shri Jhulan
Sinha, Shri K.P.
Sinha, Shri Nageshwar Prasad
Sinha, Shri S.
Sinha, Shri Satya Narayan
Sinha, Shri Satyendra Narayan
Sinha, Shrimati Tarkeshwari
Sinhasan Singh, Shri
Siva, Dr. Gangadhara
Snatak, Shri
Sodhia, Shri K.C.
Subrahmanyam, Shri T.
Subramania Chettiar, Shri
Sunder Lal, Shri
Suresh Chandra, Dr.
Suriya Prashad, Shri
Swaminadhan, Shrimati Ammu
Syed Mahmud, Dr.
Tandon, Shri
Telkikar, Shri
Tewari, Sardar, R.B.S.
Thimmaiah, Shri
Thomas, Shri A.M.
Tiwary, Shri V.N.
Tiwari, Pandit, B.L.
Tiwari, Shri R.S.
Tiwary, Pandit, D. N.
Tripathi, Shri V.D.
Tyagi, Shri
Uikey, Shri
Upadhyaya, Shri Shiva Datt
Varma, Shri B.B.
Venkataraman, Shri
Verma, Shri B.R.
Verma, Shri Ramji
Vidyalankar, Shri A.N.
Vyas, Shri Radhelal,
Wilson, Shri J.N.
Wodeyar, Shri
Zaidi, Col.

NOES

Basu, Shri K.K.
Bose Dutt, Shri
Bovvaraghasamy, Shri
Chatterjee, Shri Tushar
Dasaratha Deb, Shri
Gurupadaswamy, Shri M.S.
Kamath, Shri
Moitra, Shri M.K.
Mukerjee, Shri H.N.
Mushar, Shri
Rao, Dr. Rama
Rao, Shri T.B.Vittal
Reddy, Shri B.Y.
Rishang Keishing, Shri
Veeraswamy, Shri
Waghmare, Shri

The motion was adopted.

Mr. Speaker: The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

Clause 24, as amended, was added to the Bill.

Mr. Speaker: Now clause 1.

The question is:

Page 1, line 5—

for "October" *substitute* "November".

The motion was adopted.

Mr. Speaker: The question is:

Page 1, line 3—

for "Ninth" *substitute* "Seventh".

The motion was adopted.

Mr. Speaker: The question is:

Page 1—

after line 5, *add*:—

"(3) The provisions of this Act shall have retrospective effect in so far as it may be required for the constitutional validity of any of the provisions of the States Reorganisation Act, 1956."

The motion was negatived.

Mr. Speaker: The question is:

"That clause 1, as amended, stand part of the Bill".

The motion was adopted.

Clause 1, as amended, was added to the Bill.

The Enacting Formula and the Title were added to the Bill.

Mr. Speaker: The hon. the Home Minister.

Shri K. K. Basu: Let us adjourn now.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): No, no.

Mr. Speaker: We will dispose of this.

Shri K. K. Basu: There are some amendments carried out.

We will sit and finish it in one hour tomorrow.

Some Hon. Members: No, no.

Mr. Speaker: Of course, there are certain items here. Clauses 2 to 10 merely follow the previous Act. Clauses 11 to 16 refer to the judiciary. Clauses 17 to 20 relate to minorities and Union Territories. Then there are Regional Committees and the Schedule. So far as the minorities, Regional Committees and the Territories are concerned, enough argument has been adduced all along here. Barring this, there is nothing more in this. I have made my speech. Hon. Members may also make some speeches, five minutes each.

Pandit G. B. Pant: Sir, I beg to move:

"That the Bill, as amended, be passed."

I do not intend to say anything on the merits of the Bill. But, I should like to express my appreciation of the valuable assistance I got from the Secretariat and staff of the Home Ministry and especially from Shri Hari Sharma who had been associated with the States Reorganisation Commission from almost the beginning, and without whose assistance I would not have been able to place the Bill before the House or to persuade the Members to accept it. I am grateful also to Shri Sundaram.

Shri K. K. Basu: Sir, can we refer to any person in praise because we cannot say anything against them?

Mr. Speaker: Anyhow, they have helped this House also.

Shri K. K. Basu: I am not opposed to saying good things. If we say anything bad, you pull us up. It must be balanced on both sides.

Mr. Speaker: Normally, anybody would appreciate any good word about another.

Shri K. K. Basu: But that should apply in the other case also.

Shri C. R. Narasimhan: Sometimes during Budget discussions the Secretariat is complimented.

Mr. Speaker: Motion moved:

"That the Bill, as amended, be passed."

Shri Kamath: Mr. Speaker, I am glad that we have come to the end of an arduous journey. But, at this moment, I find even Ministers are tired enough to forget their own amendments.

However, I am not without regrets. I regret that some of the amendments on which the Opposition was united were not accepted by Government. We have co-operated with them in abundant measure and we had a hope, an ardent hope be accepted. But they have not had the courtesy, the grace to accept certain amendments. (*Interruption*). I would refer to the renaming of Andaman and Nicobar group of islands. We had various amendments on it but we agreed to give a united amendment but it was turned down. Suggestions like Subhas Dwip and others, even that to name them as Jawahar and Subhas Islands was negatived by the House.

[Shri Kamath]

I fail to understand how my hon. friends sitting opposite could veto a suggestion to name them as Jawahar and Subhas Islands. I leave them to their own second thoughts or maybe worse thoughts later on.

The second regret of mine is that the salutary provision that was sought to be incorporated in this Bill to the effect that our judiciary should be above temptation, should consist of judges of integrity, independence and strength, and should not deteriorate in course of time and become the handmaid of the executive was also negatived by the House. We had only sought to include in this a very wholesome provision to the effect that Judges of the High Court and the Supreme Court should not be appointed after retirement, to executive posts under the Government of India or the Government of any State, executive posts including the Governorship or head of a Mission abroad. If that had been accepted, it would have gone a long way to strengthen the judiciary in this country. Already there have been reports in the country that the calibre of our High Court Judges has not been the same as it was 10 or 15 years ago. I wish that amendment of ours, on which all parties in the Opposition were united, had been accepted by the Government. I am sorry even that has not been accepted. To that extent I feel that this amending Bill has failed to meet our expectations.

One last word and I have done. My hon. friend, the Minister in Law (*Interruptions*)—I am sorry, I should say Minister for Legal Affairs; the old designation Minister in the Ministry of Law was in my mind, but the later designation which he has acquired is the Minister for Legal Affairs—moved an amendment towards the fag end of the debate, that was this afternoon at about 4 o'clock or 4-30, which, to my mind, lacks clarity. I would not have quarrelled with it had it been an ordinary Bill, but this is a Constitution Amending Bill, a Bill which seeks to amend the Constitution, which shall come into force in a few days. It would be a bad precedent if in the Constitution itself we seek to include vague provisions, undefined provisions, areas which have not been defined and which nobody knows where they are. There is no mention anywhere in the Constitution of Maharashtra, no mention of Gujarat, of Vidarbha, of Marathwada. Kutch we know and Saurashtra, of course, we have. These four areas are nowhere mentioned in the Constitution. Suddenly today they are being used by way of this amendment, but this aspect should be borne in mind. When it comes later on and Development Boards etc., will be constituted, you will have to define the areas in which these Boards will function. When these Boards are constituted, next year, perhaps after the elections, the Government will think about the point that I raised today. Then the question will arise, perhaps before the new Bombay Assembly, as to what is Maharashtra, what is Vidarbha, what is Gujarat, what is Marathwada. Therefore, the rest of Maharashtra and the rest of Gujarat have no meaning whatsoever until Gujarat and Maharashtra were already there in the Constitution. So, the expressions "rest of Maharashtra" and "rest of Gujarat" in amendment No. 211 moved by Shri Pataskar have no meaning.

Lastly,.....

Some Hon. Members: How many "lastly" (*Interruptions*)?

Shri Kamath: I do not understand this ca-co-phonous cachinnation. This is a Bill to amend the Constitution. I thought hon. Members would be more serious in this matter. I am very sorry they are treating it very lightly.

I would only refer to the point which I raised half an hour ago, and that was that we should have punctilious observance of the rules which we ourselves have framed. I do not want to be in the least obstructive, but I would again appeal to you, Sir, that for the future at any rate, amendments to

rules 167 and 126 might be brought forward in the Rules Committee and later in the House, and the rules may be amended suitably so that we may get over the difficulty that we were faced with today.

Shri Pataskar: So far as my amendment is concerned, I believe all were unanimous that there will be no difficulty in understanding the words used there. It is not the practice that every word has to be defined. If one were to do that, I do not know what the length of the Constitution will be. If there is any lack of understanding anywhere, I cannot help it.

Shri Kamath: I can only say that the Minister has not understood me.

पंडित ठाकुर दास भार्गव : जनाब स्पीकर साहब, मुझे अभी मालूम हुआ है कि होम मिनिस्टर साहब ने अपनी तकरीर में यह ख्याल फ़रमाया कि मैं ने यह अर्ज किया है कि अगर मेरी अमेंडमेंट नहीं मानी गई, तो मैं पंजाब छोड़ दूंगा । मेरी गुज़ारिश यह है कि मैं ने ऐसा नहीं कहा है और न ही मेरे दिमाग में ऐसा ख्याल आ सकता है । इसलिए यह समझ कर कि मैं ने ऐसी कोई बात कही है, होम मिनिस्टर साहब ने मेरे बारे में जो रिमार्क पास किए हैं, वे मेरे ख्याल में मुनासिब नहीं हैं । मेरे दिल में ऐसा ख्याल नहीं आ सकता है । न ही मैं ने यह बात कही है ।

चौ० रणबीर सिंह : मैं ने कहा है ।

पंडित ठाकुर दास भार्गव : आप ने कहा होगा, लेकिन यह बात मुझ से मन्सूब न की जाये ।

सेठ गोविन्द दास (मंडला-जबलपुर-दक्षिण) : अध्यक्ष जी, मैं प्रस्ताव करता हूं कि इस बिल पर वोट लिया जाये ।

Shri Frank Anthony: I feel that I am bound to pay a very sincere tribute to the Home Minister. I think about two or three days ago, when I felt that the Home Minister had accepted only two-thirds of what I regarded as a minimum essential safeguard, I offered him a two-thirds meed of thanks. Today, after what I consider to be a very happy conclusion to this question of safeguards for linguistic minorities, my meed of thanks is full, and full to overflowing. I feel also bound to thank the Prime Minister. I know well that although he was not able to be present in this House, he was watching these deliberations with anxious care, and in spite of his many preoccupations he was able to find time to allow me to discuss with him this question of safeguards for linguistic minorities.

Quite frankly, Sir, I feel that the Home Minister deserves the thanks not only of this House but of the country. This has been not only a historic, monumental Bill, but it has been as difficult and as delicate as it has been historic. And quite frankly—I say this is no spirit of flattery—unless we had a person of the uniquely outstanding capacity of the Home Minister to pilot it, it would never have gone through this House with the minimum of controversy that has characterised it. I was associated with this Bill from the beginning and, if anything, I was more struck with his work in the Joint Committee than anywhere else. Most of us were conversant with some of the provisions. But none of us was conversant with all the provisions, except the Home Minister. And that is what amazed me, not only his clarity of thought but his amazing grasp of detail. He was seized not only of every clause but of every sentence in every clause. Whether it was a financial provision or a legal provision or a constitutional provision or an administrative provision, he was immediately ready with the correct interpretation of the nuance of meanings attached to every clause. I was, quite frankly, very amazed. And, added to it, was his consistent patience and the charm with which he disarmed a great deal of, otherwise, our potential opposition. Sir, I must, on behalf at

[Shri Frank Anthony]

any rate, I presume, of the linguistic minorities, acclaim with gratitude and thanks the sympathy and generosity with which the provisions with regard to the minorities have been dealt with.

Shri K. K. Basu: Mr. Speaker, I wish I could say the same things about the hon. Home Minister as my friend, Shri Frank Anthony said.

Several Hon. Members: Closure.

Mr. Speaker: We are coming to the end. Let us wait for a few minutes.

Shri K. K. Basu: As he said, it was a monumental Bill. We would have wished that certain good and noble principles had been followed when the country is being reorganised as a result of the long-cherished movement, on the basis of linguistic redistribution of the States. We would have wished that the principle had been followed in respect of all the States that are formed under the new set-up for which we are going to pass this Bill.

In the case of the Bombay State, they have followed a different principle —I do not know—perhaps because of the movement of certain sections of the people and some representatives here; they have formed a bilingual State and we find that a large section of the people of the bilingual State and people of Gujarat do not accept it. As I have said, it is a decision of political expediency. We have also found an amendment today, an unusual amendment of the Minister of Legal Affairs, about the 'rest of Maharashtra or the rest of Gujarat'. I do not know what the constitutional definition is or what any definition of this is, in any law of the land. We find the definition of the State of Maharashtra or the State of Gujarat. I would ask him where will the city of Bombay be. Which part of the city of Bombay will be 'part of Gujarat'? (*Interruptions*)

Shri Patashkar: Does he know that there is an Improvement Trust for the city of Bombay?

Shri K. K. Basu: The development trust, I believe, is something more than improvement trust and if this be the understanding of the Minister of Legal Affairs, what the future law of the land will be, I do not know. Anyway, I hope that in the course of the experience of the Party-in-power the majority will bring forward the necessary amendment in consonance with the spirit of the Constitution and the amendments that we have adopted.

There is one point which we would like to urge and that is with respect to the legislative councils. Two of the States have opposed the continuation of the legislative councils because, they are, if I may say so, a superfluous nuisance for which the nation has to pay money when we need so much money for the development projects. We have increased the membership from one-fourth to one-third. As Shri Chatterjee, in his note of dissent says, these legislative councils are nothing but sanctuaries for defeated ministers or retired leaders of political parties in power who find no place as representatives of the people in any legislature. Though there is now this power to increase it to one-third, I wish the hon. Home Minister will not bring forward an amending provision to raise the membership. These legislative councils have served no purpose in the good governance or progress of the country.

In conclusion, I would say this. There are a good many defects in this amending provision. In spite of that, by and large, we have co-operated with the Movers and the Government because we felt that there are a good many provisions which go a long way to satisfy the aspirations of the people and also because the Government have always been saying that they want this to be done quickly in order that the States may be reorganised early and the next general elections may be held in 1957. I hope the Government would stick to the time-schedule and go to the polls and get the verdict of the people for the new developments, new movements, new amendments or new policies they are going to enunciate as a result of the reorganisation of the States, whatever it may be.

In conclusion, I may say that, inspite of certain defects, there are some good things. The bad provisions ought to be changed in the near future. I also hope that the States of Gujarat and Maharashtra will be born in the near future. Concluding, I hope the Government would stick to the programme for the next general elections and get the verdict of the people as to the amendments and changes that they have proposed.

Pandit G. B. Pant: Mr. Speaker, Sir, I thank Shri Frank Anthony and all Members of the House for their generous co-operation. I hope the scheme that will be launched on the 1st of November will receive the support and the willing co-operation of all sections, all classes, all communities and all political parties, and we will see a new era in which all will combine together to work for the success of the Second Five Year Plan and for raising the standard of living of the common man.

Mr. Speaker: The question is:

"That the Bill, as amended be passed."

The Lok Sabha divided: Ayes: 312, Noes: Nil.

AYES

[Division No. 12] [7-27 P.M.

Abdullabhai, Mulla
Abdus Sattar, Shri
Achint Ram, Lala
Achuthan, Shri
Agarwal, Shri H.L.
Agrawal, Shri M.L.
Ajit Singh, Shri
Akarpuri, Sardar
Altekar, Shri
Amrit Kaur, Rajkumari
Anandchand, Shri
Anthony, Shri Frank
Asthana, Shri
Azad, Shri Bhagwat Jha
Babunath Singh, Shri
Badan Singh, Ch.
Balkrishnan, Shri
Balasubramaniam Shri,
Baldev Singh, Sardar
Balmiki, Shr
Banerjee, Shri
Bansilal, Shri
Barman, Shri
Barrow, Shri
Barupal, Shri P.L.
Basappa, Shri
Basu, Shri K.K.
Bhagat, Shri B.R.
Bhakt Darshan, Shri
Bharati, Shri G.S.
Bhargava, Pandit Thakur Das
Bhatkar, Shri
Bhatt, Shri C.
Bhawanji, Shri
Bheekha Bhai, Shri
Bhonsle, Shri J. K.
Bidari, Shri
Birbal Singh, Shri
Biren Dutt, Shri
Bogawat, Shri
Borkar, Shrimati Anusayabai
Bose, Shri P.C.
Brajeshwar Prasad, Shri
Brohmo-Choudhury, Shri
Chaliha, Shri Bimalaprosad
Chandak, Shri
Chandrasekhar, Shrimati
Charak, Th. Lakshman Singh
Chatterjee, Shri Tushar
Chatterjee, Dr. Susilranjan
Chaturvedi, Shri
Chaudhary, Shri G.L.
Chaudhuri, Shri R.K.
Chavda, Shri
Chettiar, Shri Nagappa
Dabhi, Shri
Damodaran, Shri Nettur P.
Das, Dr. M.M.
Das, Shri K.K.
Das, Shri N.T.
Das, Shri Ram Dhani
Das, Shri Ramananda
Das, Shri Shree Narayan
Dasaratha Deb, Shri
Datar, Shri
Deb, Shri S.C.
Desai, Shri K.N.
Desai, Shri Khandubhai
Deshmukh, Dr. P.S.
Deshmukh, Shri K.G.
Deshpande, Shri G.H.
Dholakia, Shri
Dhulekar, Shri
Dhusiya, Shri
Digambar Singh, Shri
Diwan, Shri R.S.
Dube, Shri Mulchand
Dube, Shri U.S.
Dubey, Shri R.G.
Dutt, Shri A.K.
Dwivedi, Shri D.P.
Dwivedi, Shri M.L.
Eacharan, Shri I.
Ebenezer, Dr.
Elayaperumal, Shri
Fotedar, Pandit
Gam Malludora, Shri
Gandhi, Shri Feroze
Gandhi, Shri V.B.
Ganga Devi, Shrimati
Ganpati Ram, Shri
Gautam, Shri C.D.
Ghose, Shri S.M.
Giri, Shri V.V.
Gohain, Shri
Gopi Ram, Shri
Gounder, Shri K.P.
Gounder, Shri K.S.
Govind Das, Seth
Guha, Shri A.C.
Hari Mohan, Dr.
Hasda, Shri Subodh
Hazarika, Shri J.N.
Heda, Shri
Hembrom, Shri
Hem Raj, Shri
Ibrahim, Shri
Iqbal Singh, Sardar
Iyyunni, Shri C.R.
Jain, Shri A.P.
Jain, Shri N.S.
Jajware, Shri
Jangde, Shri
Jatav-vir, Dr.
Jena, Shri K.C.
Jena, Shri Niranjan
Jhunjhunwala, Shri
Jogendra Singh, Sardar
Joshi, Shri A.C.
Joshi, Shri Jethalal
Joshi, Shri Krishnacharya
Joshi, Shri Liladhar
Joshi, Shri M.D.

AYES—*contd.*

Joshi, Shri N.L.
Joshi, Shrimati Subhadra
Jwala Prashad, Shri
Kajrolkar, Shri
Kale, Shrimati A.
Kamble, Dr.
Kanungo, Shri
Karmarkar, Shri
Kasliwal, Shri
Katham, Shri
Katju, Dr.
Kayal, Shri P.N.
Kazmi, Shri
Keshavaiengar, Shri
Khan, Shri Sadath Ali
Khedkar, Shri G.B.
Kaongmen, Shrimati
Kirolikar, Shri
Kottukappally, Shri
Krishna Chandra, Shri
Krishnamachari, Shri T.T.
Kureel, Shri B.N.
Lakshmayya, Shri
Lal Singh, Sardar
Laskar, Shri
Lotan Ram, Shri
Madiah Gowda, Shri
Mahodaya, Shri
Majithia, Sardar
Malaviya, Shri K.D.
Malvia, Shri B.N.
Malaviya, Pandit C.N.
Malviya, Shri Motilal
Mandal, Dr. P.
Masuriya Din, Shri
Mathew, Shri
Matthen, Shri
Mavalankar, Shrimati Sushi
Mehta, Shri B.G.
Mehta, Shri Balwant Sinha
Menon, Shri Damodar
Minimata, Shrimati
Mishra, Shri Bibhuti
Mishra, Shri L.N.
Mishra, Shri S.N.
Mishra, Shri R.D.
Mishra, Shri S.P.
Mohiuddin, Shri
Moitra, Shri M.K.
Morarka, Shri
More, Shri K.L.
Mudaliar, Shri C.R.
Mukherjee, Shri H.N.
Mukne, Shri Y.M.
Murthy, Shri B.S.
Musafir, Giani G.S.
Mushar, Shri
Muthukrishnan, Shri
Naidu, Shri N.R.
Nair, Shri C.K.
Nanda, Shri
Narasimhan, Shri C.R.
Naskar, Shri P.S.
Nathwani, Shri N.P.
Nehru, Shri Jawaharlal
Nehru, Shrimati Shivrajvati
Nehru, Shrimati Uma
Nijalingappa, Shri
Pande, Shri B.D.
Pannalal, Shri
Parekh, Dr. J.N.
Parikh, Shri S.G.
Parmar, Shri R.B.
Pataskar, Shri
Patel, Shri B.K.
Patel, Shr Rajeshwar
Patel, Shrimati Maniben
Patil, Shri Kanavade
Patil, Shri Shankargauda
Pillai, Shri Thanu
Prabhakar, Shri Naval
Rachiah, Shri N.
Radha Raman, Shri
Raghubir Sahai, Shri
Raghubir Singh, Ch.
Raghunath Singh, Shri
Raghuramaiah, Shri
Raj Bahadur, Shri
Rajabhoj, Shri P.N.
Ramachander, Dr. D
Ramanand Shastri, Swami
Ramananda Tirtha, Swami
Ramaseshaiah, Shri
Ramaswamy, Shri S.V.
Ram Dass, Shri
Ram Krishan, Shri
Ram Saran, Shri
Ram Shankar Lal, Shri
Ram Subhag Singh, Dr.
Ranbir Singh, Ch.
Randaman Singh, Shri
Rane, Shri
Ranjit Singh, Shri
Rao, Dr. Rama
Rao, Shri Seshagiri
Rao, Shri T.B. Vittal
Raut, Shri Bhola
Ray, Shri B.K.
Reddy, Shri B.Y.
Reddy, Shri Viswanatha
Rishang Keishing, Shri
Roy, Shri Bishwa Nath
Rup Narain, Shri
Sahaya, Shri Syamnandan
Sahu, Shri Rameshwar
Saigal, Sardar A.S.
Saksena, Shri Mohanlal
Samanta, Shri S.C.
Sanganna, Shri
Sankarapandian, Shri
Sarma, Shri Debendra Nath
Sarmah, Shri Debeswar
Satish Chandra, Shri
Sen, Shri P.G.
Sen, Shrimati Sushama
Sewal, Shri A. R.
Shah, Shri C.C.
Shah, Shri Raichandbhai
Shahnawaz Khan, Shri
Sharma, Pandit K. C.
Sharma, Shri D.C.
Sharma, Shri R.C.
Shastri, Shri Algu Rai
Shivanan jappa, Shri
Shobha Ram, Shri
Shriman Narayan, Shri
Shukla, Pandit B.
Siddananjappa, Shri
Singh, Shri D.N.
Singh, Shri H P
Singh, Shri L. Jogeswar
Singh, Shri M. N.
Singh, Shri T.N.
Singhal, Shri S.C.
Sinha, Dr. S.N.
Sinha, Shri Anirudha
Sinha, Shri B.P
Sinha, Shri G.P.
Sinha, Shri Jhulan
Sinha, Shri K.P.
Sinha, Shri Nageshwar Prasad
Sinha, Shri S.
Sinha, Shri Satya Narayan
Sinha, Shri Satyendra Narayan
Sinha, Shrimati Tarkeshwari
Sinhasan Singh, Shri
Siva, Dr. Gangadhara
Snatak, Shri
Sodhia, Shri K.C.
Subrahmanyam, Shri T.
Subramania Chettiar, Shri
Sunder Lal, Shri
Suresh Chandra, Dr.
Suriya Prashad, Shri
Swaminadhan, Shrimati Ammu
Syed Mahmud, Dr.
Tandon, Shri
Telkikar, Shri
Tewari, Sardar R.B.S.
Thimmaiah, Shri
Thirani, Shri
Thomas, Shri A.M.
Tivary, Shri V.N.
Tiwari, Pandit B.L.
Tiwari, Shri R.S.
Tiwari, Pandit D.N.
Tripathi, Shri V.D.
Tyagi, Shri
Ukey, Shri
Upadhyaya, Shri Shiva Du
Varma, Shri B.B.

AYES—*contd.*

Veeraswamy, Shri	Verma, Shri B.R.	Wilson, Shri J.N.
Velayudhan, Shri	Verma, Shri Ramji	Wodeyar, Shri
Venkataraman, Shri	Vyas, Shri Radhelal	Zaidi, Col.

NOES

NIL

The motion was adopted.

Mr. Speaker: The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting. The Bill, as amended, is passed.

7.41 P.M.

The Lok Sabha then adjourned till Eleven of the Clock on Friday, the 7th September, 1956.

[*Thursday, 6th September, 1956*]

COLUMNS

PAPER LAID ON THE TABLE . 5815

A copy of the report containing instructions issued to Railways about inspection of bridges was laid on the Table.

PETITION REPORTED . . 5815-16

Secretary reported receipt of a petition signed by one hundred and eighteen petitioners in respect of the Child Sanyas Diksha Restraint Bill by Shri Dabhi, which was introduced on the 6th April, 1956.

ELECTION TO COMMITTEE . 5816

The motion of the Minister of Agriculture (Dr. P. S. Deshmukh) *re.* election of a Member of Lok Sabha to the Indian Council of Agricultural Research *vice* Dr. Amin resigned from Lok Sabha was adopted.

COLUMNS

BILL INTRODUCED . . 5817

Indian Tariff (Amendment) Bill was introduced

BILL PASSED . . . 5817-6076

Further clause-by-clause consideration of the Constitution (Ninth Amendment) Bill, as reported by the Joint Committee, was concluded. The Bill was passed, as amended.

AGENDA FOR FRIDAY, 7TH SEPTEMBER, 1956.—

Consideration of Scheduled Castes and Scheduled Tribes Orders (Amendment) Bill, passing of Representation of the People (Third Amendment) Bill and motions *re.* modification of Representation of the People (Preparation of Electoral Rolls) Rules.